



W.P(MD)No.471 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.471 of 2023

M.K.Anandkumar

... Petitioner

Vs

- 1.The Commissioner of Police,
Commissioner Office,
Alagarkovil Road, Madurai.
- 2.The Assistant Commissioner of Police,
Assistant Commissioner of Police Office,
Anna Nagar Police Station, Madurai.
- 3.The Inspector of Police,
E2, Mathichiyam Crime Branch Police Station,
Madurai.
- 4.N.Thirumaran
- 5.B.Pushpavalli
- 6.C.Baskaran
- 7.B.Saravanan
- 8.B.Senthilnathan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent No.1 to cancel the license of the Aims fitness centre which is running in benami capacity by the fourth respondent and hand over the



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same to the petitioner within the time period stipulated by this Court.

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For Petitioner : Mr.B.Bhuvaneshvari,
For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.
for R1 to R3.

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the respondent No.1 to cancel the license of the Aims fitness centre which is running in benami capacity by the fourth respondent and hand over the same to the petitioner within the time period stipulated by this Court.

2. The learned counsel appearing for the petitioner would submit that the civil suit is pending and they have already obtained an injunction order restraining the other side from interfering with their possession. The suit itself is for bare injunction.

3.The learned Additional Public Prosecutor appearing for the State would submit that though the suit for bare injunction is pending, the petitioner is now claiming the relief to get the property itself, through the direction now sought for.



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4. As rightly pointed by the learned Additional Public Prosecutor, the prayer itself is not maintainable. Hence, the Writ Petition is liable to be dismissed.

5. Accordingly, this writ petition is dismissed. No costs.

09.01.2023

NCC : Yes/ No
Index : Yes/No
Internet : Yes/ No
das

To

- 1.The Commissioner of Police,
Commissioner Office,
Alagarkovil Road, Madurai.
- 2.The Assistant Commissioner of Police,
Assistant Commissioner of Police Office,
Anna Nagar Police Station, Madurai.
- 3.The Inspector of Police,
E2, Mathichiyam Crime Branch Police Station,
Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

das

Order made in
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