



W.P(MD)No.26896 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.26896 of 2023

Gnanasakthi

... Petitioner

Vs.

1.The Superintendent of Police,
Madurai District,
Madurai

2.The Deputy Superintendent of Police,
Melur,
Madurai District.

3.The Inspector of Police,
Keelavalavu Police Station,
Melur Taluk,
Madurai District.

4.S.Pandi Kannu

5.S.Saran

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 3rd respondent to conduct an enquiry in the matter under the direct supervision of the 1st or 2nd respondent in the manner known to law based on the petitioner's representation, dated 03.08.2023.



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For Petitioner :Mr.R.Murugan
For Respondents :Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

ORDER

This Writ Petition is filed to direct the 3rd respondent to conduct an enquiry in the matter under the direct supervision of the 1st or 2nd respondent in the manner known to law, based on the petitioner's representation, dated 03.08.2023.

2.The learned counsel for the petitioner would submit that the petitioner has filed O.S.No.115 of 2021 before the Sub Court, Melur seeking perpetual injunction along with declaration, in O.S.No.115 of 2021, in which the learned Sub Judge, Melur, granted interim injunction in I.A.No.1 of 2021, restraining the private respondents from interfering with the petitioner's possession and enjoyment over the disputed property.

3. Now the grievance of the petitioner is that even though the Sub Court, Melur, has passed judgment in favour of the petitioner, in I.A.No. 1 of 2021 in O.S.No.115 of 2021, representation was made to the



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respondent herein seeking Police protection for enjoying the property.

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4. The learned Government Advocate (Crl.Side) would submit that on the basis of the representation that is made by the petitioner, enquiry was undertaken in CSR No.441 of 2023. During the course of enquiry, both sides appeared and the private respondents gave an undertaking that they will not make any trouble to the petitioner.

5. When the alternative remedy is available to the petitioner by workout his remedy by filing contempt petition before the concerned jurisdictional Court, he has chosen to sent a representation, which may not be proper. Let the petitioner approach the concerned Court for appropriate orders.

6. With the above said liberty, this Writ Petition is disposed of. No costs.

09.11.2023

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

INDU



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G.ILANGOVA, J

INDU

To

- 1.The Superintendent of Police,
Madurai District,
Madurai
- 2.The Deputy Superintendent of Police,
Melur,
Madurai District.
- 3.The Inspector of Police,
Keelavalavu Police Station,
Melur Taluk,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
W.P(MD)No.26896 of 2023

Dated 09.11.2023