



W.P.No.9524 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.04.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.9524 of 2024

G.Arul Selvam.

... Petitioner
/versus/

1. The State by
The Inspector of Police,
G-1 Police Station,
Vepery, Chennai – 600 007.

2. Mrs.Chandrika

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue Writ of Mandamus directing the 1st respondent and their men not to harass the petitioner on the basis of the complaint of the 2nd respondent lodged before the 1st respondent except following process established by law.

For Petitioner : Mr.T.R.Prabhakaran

For R1 : Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)



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ORDER

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The petitioner who is a tenant has failed to pay rent for more than 59 months and therefore, the complaint has been lodged before the respondent Police. The police has enquired and found that it is a landlord-tenant dispute and therefore, the parties are directed to work out their remedy before the Civil Court.

2. The petitioner herein has already instituted a suit before the Assistant City Civil Court, Chennai, for permanent injunction not to disturb without due process of law.

3. Now, the petition is filed before this Court that the respondent police is harassing him. The prayer in the petition is nothing but abuse of process of law by a default tenant, who has already approached the Civil Court alleging that he should not be disturbed without due process of law but has allowed that suit for dismissed for default and now, try to get protection by way of invoking power under Section 482 of Cr.P.C, without paying rent.



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4. The order of this Court cannot be used as a shield by a defaulter.

Hence, this Writ Petition is dismissed. No costs.

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Index :Yes/No.

Internet :Yes/No.

Speaking Order/Non-Speaking Order
bsm.

Copy to:

1. The Inspector of Police, G-1 Police Station,
Vepery, Chennai – 600 007.
2. The Public Prosecutor, High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

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