



WEB COPY



W.P.No.13334 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2024

CORAM

THE HON'BLE Dr.JUSTICE **G.JAYACHANDRAN**

W.P.No.13334 of 2024

Dr.Amutha Arumugam
W/o.Dr.Arumugam
Rep.by her Power of Attorney Agent,
T.S.Gajendran

... Petitioner

Vs.

1.The Commissioner of Police,
Avadi Commissionerate,
O/o. The Commissioner of Police,
Avadi.

2.The Assistant Commissioner of Police,
Land Dispute Team,
Avadi Commissionerate,
Avadi, Chennai.

3.The Inspector of Police,
Land Dispute Team,
Central Crime Branch, Avadi
O/o. The Commissioner of Police,
Avadi.

4.The Sub Inspector,
T 15, SRMC Police Station,
Ayyappan Thangal, Chennai-56.

5.Santhakumari

... Respondents



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Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents from interfering, objecting, obstructing/preventing the petitioner from putting up construction in the property belonging to her situated in Plot No.83 and 84 in Survey No.260/1A1, New S.No.260/706, as per Patta No.5956, in Porur Village, Ambattur Taluk, Poonamallee Firka, Thiruvallur District Now Maduravayal Taluk, Chennai District.

For Petitioner : Mr.M.L.Ramesh

For R1 to R4 : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)

For R5 : No appearance

ORDER

This Writ Petition is filed seeking mandamus to the respondent police forbearing them from interfering in the construction activity of the petitioner herein in Plot No.83 and 84 in Survey No.260/1A1, New S.No.260/706, as per Patta No.5956, in Porur Village, Ambattur Taluk, Poonamallee Firka, Thiruvallur District, now Maduravayal Taluk, Chennai District.

2. The sum and substance of the Writ Petition is that the



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petitioner, lawful owner of the property mentioned above been obstructed by the 5th respondent who is an habitual fabricator of the documents and land grabbers. The construction activity of the petitioner been disturbed by the police on the complaint given by the 5th respondent herein and therefore, protection been sought from unlawful interference by the respondents.

3. The Inspector of Police who is the 3rd respondent has filed a detailed counter, wherein, he has narrated the antecedents of the 5th respondent and the fact that the complaint of the 5th respondent in the suit property been done in Crime No.71 of 2014 and the same was closed as Mistake of Facts. Being aggrieved, the 5th respondent preferred protest petition and the same was also dismissed. As far as the construction activity of the petitioner, it is made clear by the 3rd respondent police that at no point of time they prevented the petitioner from carrying out the construction.

4. In spite of notice, the 5th respondent has not entered appearance. The entire records relied by the petitioner herein and counter



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filed by the police make it clear that the construction activity of the petitioner in his property mentioned above cannot be disturbed unlawfully. Therefore, this Writ Petition is disposed of recording the undertaking given by the 3rd respondent that they will interfere only if there is any external disturbance to the construction of the property. The 3rd respondent police shall take note of it to prevent such external disturbance. No costs.

24.06.2024

rpl

Index: Yes/No
Speaking Order/Non Speaking Order
Neutral Citation : Yes/No

To

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O/o. The Commissioner of Police,
Avadi.

2.The Assistant Commissioner of Police,
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Avadi Commissionerate,
Avadi, Chennai.

3.The Inspector of Police,
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Central Crime Branch, Avadi
O/o. The Commissioner of Police,

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4.The Sub Inspector,
T 15, SRMC Police Station,
Ayyappan Thangal, Chennai-56.

5.The Public Prosecutor,
High Court of Madras,
Chennai



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Dr.G.JAYACHANDRAN, J.

rpl

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