



WP.No.23178 of 2024

In the High Court of Judicature at Madras

Dated : 14.08.2024

Coram :

The Honourable Mr.Justice M.DHANDAPANI

Writ Petition No.23178 of 2024

F.Shaban Beevi

...Petitioner

Vs

1. The District Collector,
Mayiladuthurai District.
2. The District Superintendent of Police,
Mayiladuthurai District.
3. The Thasildhar,
Sirkazhi Taluk, Mayiladuthurai District.
4. The Inspector of Police,
Sirkazi Police Staition,
Sirkazhi, Mayiladuthurai District.
5. Anwar Sathath

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents 1 to 4 to take appropriate legal action on the complaint dated 10.05.2024 consequently, to take action on the un-licensed running iron fabricating factory in the residential area and grant such other relief.



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For Petitioner : Mr.M.Pari
For Respondents : Mr.L.Baskaran, GA (Crl.side)
for R2 and R4
Mr.LSM.Hasan Fisal, AGP
for R1 and R3

ORDER

This writ petition has been filed by the petitioner, seeking for the issuance of a Writ of Mandamus to direct the respondents 1 to 4 to take appropriate legal action on the complaint dated 10.05.2024.

2. According to the petitioner, she purchased a house with vacant land in S.No.612/8, situated at Thirumalaivasal, Sirkazhi Taluk. Since, the fifth respondent is running a welding shop near the petitioner's house without obtaining a valid license, the petitioner made a complaint before the respondents 1 to 4 on 10.05.2024 to take legal action against the fifth respondent. However, the same was not considered. Hence, the present writ petition has been filed seeking the aforesaid relief.

3. The learned counsel for the petitioner submits that as against the fifth respondent, the petitioner has already given a complaint before the Law



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Enforcing Agency and an FIR in Crime No.194 of 2024 has been registered.

However, the same was not considered. Hence, the petitioner made another compliant dated 10.05.2024 before the respondents 1 to 4, even then no orders has been passed. Hence, he prayed for passing appropriate orders.

4. Admittedly, the issue involved in the present case pertains to disputed questions of facts and is purely a civil dispute, the same has to adjudicated only before the competent civil Court, however, without doing so, filing the present petition seeking the aforesaid relief is wholly unsustainable. Hence, the prayer sought for in this writ petition cannot be acceded to. However, liberty is granted to the petitioner file a civil suit before the Jurisdictional Civil Court.

5. With the above observation, this writ petition is dismissed. No costs.

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Index : Yes (or) No
Neutral Citation : Yes (or) No
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