



W.P.No.22748 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2024

CORAM :

THE HONOURABLE MR. JUSTICE P. VELMURUGAN

W.P.No.22748 of 2024

T. Kathiravan

.. Petitioner

Versus

1.The District Collector,
Office of Collectorate,
Krishnagiri District,
Krishnagiri – 635 115.

2.The Superintendent of Police,
Office of Superintendent of Police,
Krishnagiri District,
Krishnagiri – 635 001.

3.The Inspector of Police,
Mathigiri Circle,
SIPCOT Police Station,
SIPCOT, Hosur – 635 126.

4.The Sub-Inspector of Police,
Mathigiri Police Station,
Mathigiri, Hosur – 635 110.

5. Priyadharshini

6. G. Gowtham

7. K. Shruthi

.. Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 4 to conduct an enquiry based on the petitioner's representation dated 24.06.2024 and hand over the house key of Writ Petition property back to me which was illegally given to respondents 5 to 7 by the 4th respondent.

For Petitioner : Mr. P. Satheesh Kumar
For Respondents : Mr. S. Sugendran (for R1 to R4)
Additional Public Prosecutor.

ORDER

This Writ Petition has been filed seeking a direction to the respondents 1 to 4 to conduct an enquiry based on the petitioner's representation dated 24.06.2024 and to handover the house key of the property back to the petitioner, which was illegally given to respondents 5 to 7 by the 4th respondent.

2. The petitioner is the father of the de-facto complainant/Harish. The fifth respondent is the daughter-in-law of the petitioner. The sixth respondent is the elder brother of the fifth respondent. The sixth and seventh respondents are husband and wife. It is alleged by the petitioner



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that his daughter-in-law's brother loved his daughter and married her, and thereafter, the petitioner and his son came to know that both are addicted with Ganja, including his daughter-in-law, due to which, the petitioner and his son were advised to abandon the bad habit, instead of that, they lodged a complaint with false allegations. Due to matrimonial dispute, the petitioner's daughter-in-law left to her parents house, and hence, the petitioner's son filed a petition in H.M.O.P.No.208 of 2023 for restitution of conjugal rights and the same is pending before the Subordinate Judge, Hosur. In the meantime, the fourth respondent/Police handed over the petitioner's house key to the respondents 5 to 7. Due to the illegal act of the fourth respondent-Police, the petitioner has come up with the present Writ Petition before this Court.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 to 4 and also perused the materials available on record.

4. Since no adverse order is passed as against the respondents 5 to 7, no notice was ordered and the same is hereby dispensed with.



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5. It is seen from the records that the right of the property and the matrimonial dispute matters are pending between the parties. Under these circumstances, this Writ Petition is not maintainable. However, the petitioner is at liberty to work out his remedy in the manner known to law.

6. With the above observation, the Writ Petition is dismissed. No costs.

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Index : yes/no
Speaking order : yes/no
Neutral Case Citation : yes/no

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To:

- 1.The District Collector,
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Krishnagiri – 635 115.
- 2.The Superintendent of Police,
Office of Superintendent of Police,
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3.The Inspector of Police,
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4.The Sub-Inspector of Police,
Mathigiri Police Station,
Mathigiri, Hosur – 635 110.

5.The Public Prosecutor,
High Court, Madras.



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P. VELMURUGAN, J.

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