



W.P.No.34680 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.34680 of 2024

Dr.R.Manivannan

... Petitioner

Vs.

1. The Commissioner

Office of the Commissioner

Avadi, Chennai

2. The Deputy Commissioner

Office of the Deputy Commissioner

Vivekananda Nagar, 5 Block

Avadi, Chennai - 600 054

3. The State Represented by its

Inspector of Police

T15, SRMC Police Station

Iyyappanthanga, Chennai - 56

4. Dr.Sridhar

... Respondents



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Prayer: Writ Petition is filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to provide police protection to the petitioner to enter into his flat situated measuring to an extent of 2474 Sq.ft. bearing Tower No.7, Flat No.7023, Prestige Bella Vista, Iyyappanthangal, Chennai - 600 116 in view of the petitioner's representation dated 17.10.2024 within a time frame as may be fixed by this Court.

For Petitioner : Mr.M.Venkatesh
For Respondents 1 to 3 : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

This Writ Petition is filed by the petitioner to direct the 3rd respondent to provide police protection to the petitioner to enter into his flat measuring to an extent of 2474 Sq.ft. bearing Tower No.7, Flat No.7023, Prestige Bella Vista, Iyyappanthangal, Chennai - 600 116 in view of the petitioner's representation dated 17.10.2024 within a time frame as may be fixed by this Court.

2. The case of the petitioner is that he is a Doctor by profession and statutory tenant in the above said property under the 4th respondent herein. In the month of June, all of a sudden, one Venkatesan who claimed to be power of



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attorney of the 4th respondent, demanded huge amount of rent and advance for the subject property and since the same was refused by petitioner, the 4th respondent, threatened to vacate the premises and gave all sorts of troubles to the petitioner. Hence, with no other way, the petitioner filed a civil suit in O.S.No.280 of 2024 before the District Munsif, Poonamallee, Thiruvallur District and the same is pending. While so, on 07.10.2024 at about 2 p.m., on the instigation of the 4th respondent, some henchmen tried to evict the petitioner illegally. Hence, the petitioner called 100 and though the police arrived to the spot, they did not take any action against the Goondas. The henchmen, looted the valuables of the petitioner in front of the police. Hence, the present petition is filed seeking direction to the respondent police to provide police protection to the petitioner to enter into his flat.

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



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4. Since no adverse order is being passed, notice to the 4th respondent is dispensed with.

5. It is seen that there is a landlord and tenant dispute between the parties and evidence have to be recorded to decide the issue, which cannot be done by the Writ Court. Already a civil suit is pending between the parties. Hence, the petitioner is not entitled to the relief sought for. However, the petitioner is at liberty to work out his remedy before the Civil Court.

6. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs.

28.11.2024

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

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3. The Inspector of Police
T15, SRMC Police Station
Iyyappanthanga, Chennai - 56
4. The Public Prosecutor
High Court of Madras



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P.VELMURUGAN. J.

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