



WP(MD)No.12748 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 18.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.12748 of 2024

Ramanantha Subramanian

... Petitioner

Vs.

1.The Superintendent of Police,
Tuticorin District, Tuticorin.

2.The Inspector of Police,
Temple Police Station,
Tiruchendur,
Tuticorin District.

3.S.Rajkanna @ Kannan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents 1 and 2 to take appropriate action on the petitioner's complaint dated 05.06.2024 as against the third respondent and recover the hotel key from the third respondent in connection with Door No.615/1, Tiruchendur Kovil Street, Tiruchendur, Tuticorin District and handover to the petitioner.

For Petitioner : Mr.S.Sathyachidambaram

For Respondents : Mr.E.Antony Sahaya Prabakar
Additional Public Prosecutor for R1 & R2

Mr.R.J.Karthick for R3



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ORDER

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The petitioner claims that he is a tenant of the third respondent. The third respondent, in order to evict him, without following the due process of law, has locked the premises, where, the petitioner is running a hotel and therefore, the petitioner has made a request to the respondent police to recover the key from the third respondent and to hand it over to the petitioner. Therefore, he has filed this writ petition for the same relief.

2.The learned counsel for the third respondent submits that the petitioner has already filed a civil suit before the District Munsif Court, Tiruchendur in O.S.No.51 of 2024 on 09.06.2024 and he has also simultaneously filed an application before the respondent police and has filed this writ petition.

3.The averments in the petition appears to be civil in nature. The petitioner's remedy is only before the Rent Controller or before the Civil Court. The respondent police is not expected to recover the key if any, from the third respondent and to hand it over, that would amount to interfering in the civil suit.



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4.This Court is not inclined to entertain this petition and the same is accordingly dismissed with liberty to the petitioner to workout his remedy before the Civil Court. No costs.

Index :Yes/No

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Internet : Yes/No

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To

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2.The Inspector of Police,
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Tiruchendur,
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3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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B.PUGALENDHI,J.

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