



W.P.(MD)No.19342 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.19342 of 2024

Gnanasakthi

...Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Melur,
Madurai District.

3.The Inspector of Police,
Keelavalavu Police Station,
Melur Taluk,
Madurai District.

4.Pandikannu

5.Saran

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent to conduct an enquiry in the matter and take appropriate action against the respondents 4 and 5 along with known person in



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accordance with law based on the petitioner's representation dated 25.06.2024 and protect my life and limb.

For Petitioner : Mr.R.Murugan

For R1 to R3 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

The Writ Petition has been filed, invoking Article 226 of the Constitution of India, seeking orders to direct the third respondent to conduct an enquiry in the matter and take appropriate action against the respondents 4 and 5 along with known person in accordance with law based on the writ petitioner's representation dated 25.06.2024 and protect my life and limb.

2. The learned counsel appearing for the writ petitioner would submit that the writ petitioner has filed a suit in O.S.No.315 of 2021 claiming permanent injunction and also filed an application in I.A.No.1 of 2021 claiming temporary injunction restraining the respondents therein including the respondents 4 and 5 herein and their men from in any way interfering with the petitioner's peaceful possession and



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enjoyment of the property and the learned Subordinate Judge, after conducting enquiry, has passed an order dated 25.04.2022 granting temporary injunction till the disposal of the suit, that on 17.06.2024, the respondents 4 and 5 along with one known person had trespassed into the writ petitioner's property and damaged the pillars stone and that therefore, the writ petitioner has given a representation to the third respondent enclosing the copy of the injunction order but they have not taken any steps so far. He would further submit that though the complaint given by the writ petitioner discloses cognizable offences, for the reasons best known to them, they have not taken any action.

3. The learned Additional Public Prosecutor appearing for the respondents 1 to 3 would submit that on the basis of the complaint given by the writ petitioner, enquiry was conducted and since it is of civil in nature, the third respondent directing the writ petitioner to approach the competent civil Court, has closed the petition.

4. Considering the above, the second respondent is directed to conduct enquiry with regard to the writ petitioner's complaint and pass



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orders taking note of the injunction order within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stands disposed of.

No costs.

27.08.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
csm

To

- 1.The Superintendent of Police,
Madurai District,
Madurai.
- 2.The Deputy Superintendent of Police,
Melur,
Madurai District.
- 3.The Inspector of Police,
Keelavalavu Police Station,
Melur Taluk,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

csm

**Order made in
W.P.(MD)No.19342 of 2024**

Dated : 27.08.2024