



W.P.(Crl.) No.39 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.Crl.No.39 of 2025

and

W.P.M.P.Crl.No.94 of 2025

S.Mohankumar

... Petitioner

Vs.

- 1.The Director General of Police,
Office of the D.G.P.,
Mylapore,
Chennai - 600 004.
- 2.The Commissioner of Police
Greater Chennai City,
Office of the Commissionerate,
Vepery,
Chennai – 600 007.
- 3.The Deputy Commissioner of Police,
Office of the DCP,
Adyar, Chennai – 600 020.
- 4.The Assistant Commissioner of Police,
Office of the ACP,
Taramani,
Chennai – 600 113.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to conduct a lawful enquiry on the petitioner's complaint dated 24.02.2025 filed before the Commissioner of Police and another representation dated 22.03.2025 addressed to the 1st and 2nd respondents and to evict the criminal trespassers from the petitioner's lawful property.

For Petitioner	:	Mr.K.M.Subrahmaniam
For R1 to R4	:	Mr.K.M.D.Muhilan Additional Public Prosecutor
For proposed parties in WPMP Crl.No.94 of 2025	:	Mr.N.Selvaraju

ORDER

This writ petition has been filed to direct the respondents to conduct a lawful enquiry on the petitioner's complaint dated 24.02.2025 filed before the Commissioner of Police and another representation dated 22.03.2025 addressed to the 1st and 2nd respondents and to evict the criminal trespassers from the petitioner's lawful property.



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2.It is the case of the petitioner that he is the absolute owner of the property comprised in S.No.111/5 measuring an extent of 4050 sq.ft. at Mettukuppam in Thoraipakkam. The petitioner has constructed a RCC commercial building in the subject property consisting of five shops. Three shops were leased out to a single person and the other two shops were retained by the petitioner for his personal use. Since the tenant committed default in payment of rents, rent control proceedings were initiated against the tenant. Aggrieved by the same, the tenant, with the help of two persons namely Gandhi and Asif, had criminally trespassed into the remaining two shops of the petitioner by unlawfully breaking open the locks and had occupied the same in an unlawful manner. Therefore, the petitioner filed a complaint before the Inspector of Police, Thoraipakkam Police Station. However, one Mr.Prabhu, Inspector of Police, did not bother to take action on his complaint, rather, he joined hands with the trespassers and supported them. Despite production of all relevant documents pertaining to title and possession of the property, Mr.Prabhu, Inspector of Police did not take any action on the complaint filed by the petitioner. Therefore, the petitioner has come forward with this writ petition.



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3.Learned Additional Public Prosecutor would submit that enquiry has already been completed and the complaint has been closed and the communication dated 11.06.2025 sent to the petitioner intimating the closure of the complaint has also been served on the petitioner. The said submissions are recorded.

4.In such view of the matter, if the petitioner is aggrieved over the closure of the complaint, it is for him to file a private complaint before the concerned Magistrate Court and establish his case.

5.Accordingly, this writ petition is dismissed. No costs. Since this Court has not entertained the main writ petition itself, the petition in W.P.M.P.Crl.No.94 of 2025 to implead the trespassers is not necessary and therefore, the same is closed.

12.08.2025

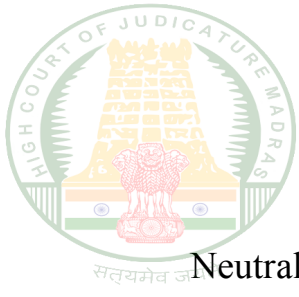
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Internet : Yes

Index : Yes / No

Speaking order : Yes / No

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Neutral Citation : Yes / No

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- 2.The Commissioner of Police
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- 3.The Deputy Commissioner of Police,
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- 4.The Assistant Commissioner of Police,
Office of the ACP,
Taramani,
Chennai – 600 113.
- 5.The Public Prosecutor,
High Court, Madras.



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N. SATHISH KUMAR, J.

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