



WEB COPY

WP No. 28808 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-08-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

WP No. 28808 of 2024

1. M.Raja

S/o.Mari, No.17, Anna Street, Bharathi
Nagar, Chinmaya Nagar, Chennai- 92.

2. ANISH

S/o.Udhayakuamr, Te/29, Fruit Shop
Koyambedu Market, Koyambedu,
Chennai-600 092

Petitioner(s)

Vs

1. The Commissioner Of Police

Greater Chennai City Police, 132, Evk
Sampath Road, Vepery, Chennai-600
007.

2.The Inspector Of Police

Koyambedu Police Station,
Kaliyammann Koils Treet, Koyambedu,
Chennai-600 107.

3.K.Venkatesan

S/o.N.Kannan, No.154/4/35-a,
Kannigapuram, Mutharasikuppam



Post, Slrs Via, Katpadi Taluk, Vellore
District-632 106. And Presently
Residing At No.84/70, Muthaiya
Street, Teynampet, Chennai-600 018.

Respondent(s)

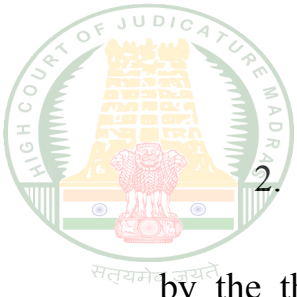
PRAYER : Writ Petition filed under Article 226 of the Constitution of India directing the 1st respondent to take appropriate action against the 2nd respondent for illegally evicting the petitioners from the rented shop on 16.08.2024 without any court order and to repossess the petitioners in the said shop and to pay adequate compensation for damaging their fruits kept in the shop

For Petitioner(s): R.Thanigai Arasu

For Respondent(s): Mr. K.M.D.Muhilan,
Additional Public Prosecutor – R1 & R2

ORDER

The petitioners seek a direction to the first respondent to take appropriate action against the second respondent for illegally evicting the petitioners from the rented shop on 16.08.2024 without any court order and to repossess the petitioners in the said shop and to pay adequate compensation for damaging their fruits kept in the shop.



2. According to the petitioners they were inducted to the subject premises by the third respondent and they were originally a licensee and they were paying rent regularly. However, the third respondent approached the Small Causes Court, Chennai for eviction of the petitioners on the ground of wilful default. Though the eviction Order has been passed, time was granted to the petitioners till 26.08.2025 to vacate the premises. In the meanwhile, the second respondent had unlawfully evicted the petitioners from the premises. Hence, present petition has been filed seeking aforesaid relief.

3. The learned Additional Public Prosecutor on instructions would submit that the third respondent has initiated RCOP proceedings against the petitioners which resulted in eviction Order. In the meanwhile, as the third respondent has failed to pay the amount to the Corporation, the Corporation had sealed the property from 12.02.2024 to 15.07.2024. Thereafter, the petitioners once again sought the permission to enter the premises, since he had time to vacate the premises till 26.05.2024. At this stage, on the basis of the request made by the officials, in view of the law and Order issue, the police persons were present



which has been taken advantage by the petitioners and making allegation as if they had been removed by the Inspector of Police.

4. I have perused entire materials. The fact that Rent Controller proceedings has been filed by the second respondent is not disputed. Similarly, closure of the shop on 12.02.2024 and the same was opened only on to 15.07.2024 is also not disputed. Though the Rent Court had granted two months time for vacating the premises, the fact remains that prior to that petitioners were not in possession of the premises. In such view of the matter, merely on the basis of the photographs, it cannot be presumed that the police officers were in the premises for evicting the petitioners. Admittedly, legal process had already been initiated against the petitioners. Hence, I do not find any merits in this petition.

5. Accordingly, this Writ Petition is dismissed.

21-08-2025



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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To

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Greater Chennai City Police, 132, Evk
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007.

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