



W.P(MD)No.4440 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.4440 of 2025

D.Radha Krishnan

... Petitioner

Vs.

- 1.The Deputy Inspector of General,
Office of the Deputy Inspector of General,
Thanjavur District.
- 2.The Superintendent of Police,
Office of the District Superintendent of Police,
Thanjavur District.
- 3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
East Police Station,
Kumbakonam Taluk,
Thanjavur District.
- 4.The Inspector of Police,
Kumbakonam East Police Station,
Kumbakonam Taluk,
Thanjavur District.
- 5.V.Aravind
- 6.Rajalakshmi

... Respondents



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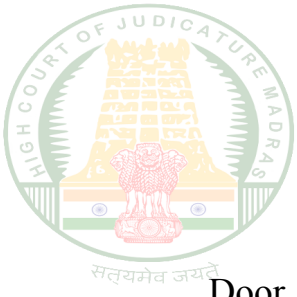
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 4 to consider and dispose the petitioner`s complaint, dated 17.02.2024 and 24.12.2024 and consequently direct the respondents 1 to 4 to investigate the petitioner`s complaint, for illegal demolition of his home situated in Door No.16 and Door No.17 in S.No. 1345 at 1st Municipal Ward, Kumbakonam Town, Thanjavur, within a time stipulated by this Court and pass such further or other orders as this Court.

For Petitioner : Mr.S.M.Ramasiva

For R-1 to R-4 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The present petition has been filed for issuance of Writ of Mandamus directing the respondents 1 to 4 to consider and dispose the petitioner`s complaint, dated 17.02.2024 and 24.12.2024 and consequently direct the respondents 1 to 4 to investigate the petitioner`s complaint, for illegal demolition of his home situated in Door No.16 and



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Door No.17 in S.No.1345 at 1st Municipal Ward, Kumbakonam Town,
Thanjavur.

2. The learned Counsel appearing for the petitioner would submit that the petitioner is the owner of the property in Door No.19 in T.S.No. 1345 and Door No.16 in T.S.No.1347 at 1st Municipal Ward, Kumbakonam Town, Thanjavur. The respondents 5 and 6, who are the adjacent land owners built a hospital near to the house of the petitioner. At the time of demolishing the adjacent building of the respondents 5 and 6, there was a dispute arose between them due to the easementary right. Therefore, the petitioner requested the respondents 5 and 6 to construct as per the plan approved by the Government. But they abused the petitioner. Already a suit in O.S.No.88 of 2024 was filed by the petitioner before the District Munsif Court, Kumbakonam as against the respondents 5 and 6. While so, the respondents 5 and 6 illegally trespassed and damaged the wall and stair case of the petitioner. Therefore, the petitioner lodged a complaint, dated 17.12.2024 but no action was taken. Hence, the present petition is filed.



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3. The learned Additional Public Prosecutor appearing for the official respondents would submit that based on the complaint given by the petitioner, they issued CSR No.692/2024 and the matter is under enquiry. They will complete the enquiry within one week and dispose of the petitioner's representation.

4. Considering the limited scope of prayer sought for in the petition, this Court without issuing notice to the private respondents inclined to dispose this petition.

5. Since the main dispute is in respect of the property and already a civil suit is also pending in O.S.No.88 of 2024 on the file of the District Munsif Court, Kumbakonam and the fourth respondent also admitted the receipt of complaint from the petitioner and the same is under enquiry, this Court directs the fourth respondent to dispose the enquiry, within a period of one (1) week from the date of this order.



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6. With the above said observations, this writ petition stands disposed of. There shall be no order as to costs.

20.02.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

- 1.The Deputy Inspector of General,
Office of the Deputy Inspector of General,
Thanjavur District.
- 2.The Superintendent of Police,
Office of the District Superintendent of Police,
Thanjavur District.
- 3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
East Police Station,
Kumbakonam Taluk,
Thanjavur District.
- 4.The Inspector of Police,
Kumbakonam East Police Station,
Kumbakonam Taluk,
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P.DHANABAL, J.

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