



W.P(MD)No.10389 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2025

CORAM :

THE HON'BLE MR.JUSTICE P.DHANABAL

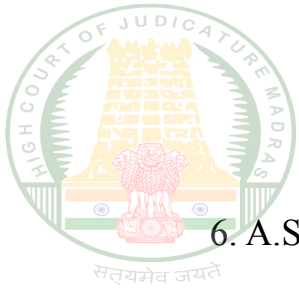
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Balamurugan

... Petitioner

Vs

1. The Inspector General of Police,
South Zone, Madurai.
2. The Superintendent of Police,
Sivagangai District,
Sivagangai.
3. The Deputy Superintendent Of Police,
District Crime Branch,
Sivagangai District,
Sivagangai.
4. The Inspector of Police,
District Crime Branch,
Sivagangai District,
Sivagangai.
5. Kalai Kathiravan,
Additional Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District,
Sivagangai.



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6. A.Subramani

... 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 2 to 5 not to harass and disturb the petitioner on the guise of enquiry by adopting illegal procedure upon the civil dispute from his unlawful enjoyment and possession of the petitioners Law Office located at G.R.Survey No. 557/10A, Ward No.10, Door No.78, North Singampunari Revenue Village, Singampunari Taluk, Sivagangai District, based on the petitioner's representation dated 04.09.2024, 22.02.2025 and 05.04.2025 within stipulated time limit as fixed by this Court.

For Petitioner : Mr.A.Prasanna Rajadurai,

For R1 to R5 : Mr.R.M.Anbunithi
Additional Public Prosecutor



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ORDER

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This Writ Petition has been filed seeking a direction to the respondents 2 to 5 not to harass and disturb the petitioner on the guise of enquiry, based on the petitioner's representation dated 04.09.2024, 22.02.2025 and 05.04.2025.

2. According to the petitioner, he is a practicing Advocate and having office at G.R. Survey No. 557/10A, Ward No.10, Door No.78, North Singampunari Revenue Village, Singampunari Taluk, Sivagangai District. He purchased the said property from one Govindarajan and setup office in that place. There is a dispute between the petitioner and his brother in respect of the property and the proceedings are pending before the Tahsildar, Singampuneri. Since the building in the above said property is in dilapidated condition, he tried to start maintenance work in the said property, but his brother and his brother's wife restrained him and also caused disturbance and threatened with dire consequences. Therefore, the petitioner lodged a complaint, for which an FIR in Crime No.29 of 2025 was registered. While so, the police in collusion with the one Raja and his wife misusing their official power taking coercive steps



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to stop the maintenance work and compelled the petitioner to vacate the premises. Therefore, the petitioner sent the representations dated 04.09.2024, 22.02.2025 and 05.04.2025, but the same have not been considered. Hence this petition.

3.The learned Additional Public Prosecutor appearing for the respondent police would submit that there is a property dispute between the petitioner and his brother, thereby, an FIR in Crime No.29 of 2025 was registered. Now, the petitioner sent the representation as against the fifth respondent to take action and the same is pending with the second respondent. The first respondent will conduct enquiry and dispose of the same, within a period of fifteen days.

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

5.Considering the prayer sought for in this petition and the second respondent also admitted the receipt of the petitioner's representation and the same is under enquiry, this Court directs the second respondent to



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consider the petitioner's representation, dated 05.04.2025 and act in accordance with law.

6. With the above direction, this Writ Petition is disposed of.

16.04.2025

Internet : Yes
Index : Yes/No
NCC : Yes/No
LR

To

1. The Inspector General of Police,
South Zone, Madurai.

2. The Superintendent of Police,
Sivagangai District,
Sivagangai.

3. The Deputy Superintendent Of Police,
District Crime Branch,
Sivagangai District,
Sivagangai.

4. The Inspector of Police,
District Crime Branch,
Sivagangai District,
Sivagangai.



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5. Kalai Kathiravan,
Additional Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District,
Sivagangai.

6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

LR

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