

Madras High Court

M/S.Glenrock Estates Pvt. Ltd vs The Inspector Of Police on 9 February, 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2010

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.1727 of 2006

M/s.Glenrock Estates Pvt. Ltd.,
rep. by its Director,
G.Chandrasekar,
48, Anna Salai, Chennai 2.

.. Petitioner

.VS.

1.The Inspector of Police,
Devala Police Station,
Devala, Gudalur Taluk,
Nilgiris District.

2.Mr.K.Govindan S/o Appu,
Prop: Geetha Hotel,
Pandalur, Nilgiris District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for a

For petitioner : Mr.M.Stalin
For respondents : Mr.R.Murali, (for R1)
Government Advocate.

O R D E R

This writ petition has been filed praying for a writ of Mandamus to direct the first respondent to take appropriate action against the second respondent, on the basis of the complaints made by the petitioner, on 29.09.2005, 30.09.2005 and 01.10.2005.

2.The main allegation of the petitioner is that the second respondent had trespassed into the tea

plantation, situated at Kurisimalai area along with his henchmen and started to pluck the tea leaves. Therefore, a complaint had been lodged before the first respondent, against the second respondent. Even thereafter, the second respondent had committed criminal trespass and had also committed criminal intimidation by threatening the petitioner and the other workers, who were employees in the tea plantation.

3.The petitioner had also stated that a civil suit, in O.S.No.118 of 2005, had been filed before the Sub-Court, Udthagamandalam, for recovery of possession of 10 acres of land, which had been illegally occupied by the second respondent and his associates. In such circumstances, the petitioner has filed the present writ petition before this Court, under Article 226 of the Constitution of India.

4.In view of the averments made in the affidavit filed in support of the writ petition, this Court is of the considered view that the petitioner has not shown sufficient cause or reason to grant the relief, as prayed for by the petitioner, in the present writ petition. It is for the petitioner to move the appropriate Civil or Criminal Forum to agitate the matter, in accordance with law. Since, the writ petition filed before this Court, under Article 226 of the Constitution of India, praying for a writ of Mandamus, is not an appropriate remedy, the writ petition is liable to be dismissed. Hence, the writ petition stands dismissed. No costs.

09.02.2010

vs

Index : Yes/No

Internet : Yes/No

To

The Inspector of Police,
Devala Police Station,
Devala, Gudalur Taluk,
Nilgiris District.

M.JAICHANDREN J.,

vs

W.P.No.1727 of 2006

09.02.2010