



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.01.2015

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition (MD)No.350 of 2015
and MP(MD)No. 1 of 2015

Amutha ... Petitioner

Vs.

1.The Superintendent of Police,
Thanjavur District.

2.The Additional Superintendent of Police,
Pattukottai & Taluk,
Thanjavur District.

3.The Inspector of Police,
Pattukottai & Taluk,
Thanjavur District.

4.V.R.Y.Anandakumar,
Trustee of Akkabai Ammani Chathiram,
Big Bazaar,
Pattukottai & Taluk,
Thanjavur District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 3 from interfering in the civil dispute pending in O.S. No. 201 of 2013 on the file of the District Munsif Court Pattukkottai between the Petitioner and 4th Respondent.

For Petitioner : Mr.N.Balakrishnan

For Respondents : Mr.M.Murugan,
Government Advocate.

O R D E R

The prayer in the writ petition is to direct the respondents 1 to 3 from interfering with the civil dispute pending in O.S.No.201 of 2013 on the file of the District Munsif Court, Pattukkottai between the petitioner and the fourth respondent.

2.According to the petitioner, he had filed a suit in O.S.No.201 of 2013 which is pending before the District Munsif Court, Pattukottai. While so, the police authorities are attempting to interfere with the civil dispute which is pending between the petitioner and the fourth respondent. Hence, the petitioner has made a representation dated 15.12.2014 before the respondents 2 and 3.



3. When the matter came up for hearing, learned Government Advocate submitted that no complaint has been received from the petitioner as on 09.01.2015 and they have no intention to interfere with the civil dispute as alleged by the petitioner.

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4. It is seen that in fact though the representation stated in the affidavit is on 15.12.2014 which has been sent by registered post only on 08.01.2015 and the present writ petition has been filed into Court on the very same day itself. Therefore, the present writ petition should not be entertained on that ground alone. Further, as rightly pointed out by the learned Government Advocate that they have not interfered with the civil dispute between the parties and they have not received any complaint from the petitioner, the relief sought for by the petitioner cannot be granted.

5. Accordingly, the writ petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar(C.S.)

To

1. The Superintendent of Police,
Thanjavur District.

2. The Additional Superintendent of Police,
Pattukottai & Taluk,
Thanjavur District.

3. The Inspector of Police,
Pattukottai & Taluk,
Thanjavur District.

+1cc to Mr. N. Balakrishnan, Advocate in SR.No. 1678

TS/13.01.2015/2P-5C

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