



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.09.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD) No.16744 of 2016

P.Machakalai

... Petitioner

-Vs-

1.The Superintendent of Police,
Dindigul District, Dindigul.

2.The Inspector of Police,
Sanarpatty Police Station,
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the 1st respondent to direct the 2nd respondent based on the petitioner's representation dated 26.08.2016 not to interfere with the civil dispute in respect of property with an extent of 9 acre 86 cents in S.No.421/1, 415/1, 418 including 150 Mango trees, 21 Tamarind trees, 2 Coconut trees, 5 Ulagam trees and a small hut situated at Kanavaipatti Village, Dindigul District.

For Petitioner : Mr.A.Arul Jenifar

For Respondents : Mr.R.Karthikeyan

Addl. Govt. Pleader

O R D E R

The writ petition has been filed seeking a direction to the 2nd respondent not to interfere in the civil dispute, based on the representation of the petitioner dated 26.08.2016.

2. Mr.R.Karthikeyan, learned Additional Government Pleader, takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4.The learned counsel appearing for the petitioner would submit that though the petitioner already approached the civil Court in O.S.No.384 of 2015, the second respondent police, threatened him to vacate the property and also interfered with his peaceful possession and enjoyment of the same and therefore, he submitted representation to the first respondent on 26.08.2016, but however, the same was not considered by the first respondent so far and hence, he is before this Court with this writ petition.



5.The learned Additional Government Pleader appearing for the respondents, on instructions, would submit that the necessary parties have not been impleaded in this petition. However, he gave an undertaking that the first respondent would consider the representation of the petitioner, dated 26.08.2016, on merits and in accordance with law.

6.In view of the above undertaking given by the learned Additional Government Pleader, the first respondent is directed to consider the representation of the petitioner dated 26.08.2016 and after giving an opportunity of personal hearing to all the interested parties in the dispute, pass appropriate orders on merits and as per law.

7. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub-Assistant Registrar

To:

1.The Superintendent of Police,
Dindigul District, Dindigul.

2.The Inspector of Police,
Sanarpatty Police Station,
Dindigul District.

+One cc to Mr.A.Arul Jenifer, Advocate, SR.No.49557

+One cc to The Special Government Pleader, SR.No.49660

gcg

RL/5C/2P/DB/24.10.2016

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