



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2016

CORAM:

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THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

W.P.(MD)No.5717 of 2011

and

M.P.No.1 of 2011

Caitan Fernando

: Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Tiruchendur, Tuticorin District.

3.The Sub-Inspector of Police,
Arumuganeri Police Station,
Arumuganeri, Tiruchendur Taluk,
Tuticorin District.

4.Meera Shahib Maraikayar

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus forbearing the third respondent from interfering with the civil dispute with regard to the property, which is situated in Survey No.41/7A and 41/6A at Kayalpattinam, Thenbagam Village, Tiruchendur Taluk, Tuticorin District, which is the subject matter in A.S.No.81 of 2011, on the file of the Sub-Court, Tuticorin.

For Petitioner

: Mr.A.P.Thirugnanam

For Respondents 1 to 3

: Mr.D.Muruganantham

Additional Government Pleader

For Respondent No.4

: No Appearance

O R D E R

The petitioner filed this Writ Petition to restrain the third respondent from interfering in a civil dispute.

<https://hcservices.ecourts.gov.in/hcservices/>

2. The fourth respondent filed a Civil Suit in O.S.No.66 of 2010 before the Additional District Munsif Court, Tiruchendur. The



said suit was for a declaration and injunction. The suit was decreed by Judgment and Decree dated 08.02.2011. When the petitioner was in the process of filing appeal, the police summoned him, pursuant to the complaint given by the fourth respondent. The petitioner is, therefore, before this Court.

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3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader on behalf of the respondents 1 to 3. None appears on behalf of the fourth respondent.

4. The petitioner has come up with a grievance that the police made an attempt to interfere in a civil dispute. The learned Additional Government Pleader has made it clear that there is no complaint against the petitioner. Moreover, the Civil Court has already passed a decree. The parties have to act in accordance with the Judgment and Decree. Since the police have made it clear that there is no case against the petitioner, nothing survives for adjudication in this Writ Petition.

5. The Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Superintendent of Police,
Tuticorin District, Tuticorin.
- 2.The Deputy Superintendent of Police,
Tiruchendur, Tuticorin District.
- 3.The Sub-Inspector of Police,
Arumuganeri Police Station,
Arumuganeri, Tiruchendur Taluk,
Tuticorin District.

+One cc to Mr.S.Sivathilakar, Advocate, SR.No.47037

+One cc to The Special Government Pleader, SR.No.47423

NB

RL/6C/2P/CK/20/9/2016

ORDER MADE IN
W.P. (MD) No.5717 of 2011