

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38109 of 2016

ORDER:

1. This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to direct respondents Nos.3 & 4 not to interfere with the ownership and possession of the petitioner over the subject property.

2. Heard and perused the material available on record.

3. It is stated in the affidavit that the petitioner is the absolute owner and possessor of the vacant house site property and he purchased the same from the 5th respondent. Originally, the 5th respondent after agreement of sale deed in favour of the petitioner, he did not come forward to execute a registered sale deed. Then, the petitioner filed a suit for specific performance and the said civil matter was settled before Lok Adalat with certain terms and conditions. The 5th respondent agreed not to interfere with the possession of the petitioner over the property in question. But in view of the escalation in the value of the lands, the 5th respondent with the help of other unofficial respondents is trying to interfere with the possession of the petitioner over the subject property. At the instance of unofficial respondents, the official respondents Nos.3 & 4 are also trying to interfere with the possession of the petitioner.

4. Considering the circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, the Writ Petition is disposed of with the following direction:

“Respondents Nos.3 & 4 are directed not to interfere with any of the civil disputes between the petitioner and the unofficial respondents in respect of the subject property. At the same time, this order will not stand in the way of the above said official

respondents to proceed with the investigation, if any cases are registered against the petitioner for cognizable offence.

There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO, J

Date: 7th November, 2016

Nn



HONOURABLE SRI JUSTICE RAJA ELANGO



Date: 7th November, 2016

Nn