

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.15335 of 2017
and WMP No.16628 of 2017

R. Sundarasamy

..... Petitioner

Vs

1. The State of Tamilnadu,
rep by Superintendent of Police,
Coimbatore
2. Inspector of Police,
K-G, Chavadi Police Station,
Coimbatore
3. A.P. Muruganandham
4. Saravanan
5. M. Palanisubramaniam

..... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus forbearing the respondents 1 and 2 from interfering in the civil dispute pertaining to the possession of the property admeasuring 1.50 acres out of 14.52 acres comprised in S.No.423/1B situated at Ettimadai Village, Madukarai, Coimbatore District which is the subject matter of the suits in O.S.No.1502/2016 on the file of Additional District Munsif No.3, Coimbatore and O.S.No.1603/2016 on the file of Principal District Munsif Court, Coimbatore.

For Petitioners: Mr.G. Rajan

For R.1 & R.2 : Mr.D. Vairamurthy
Spl.Government Pleader

O R D E R

The petitioner has filed the present writ petition seeking to issue a Writ of Mandamus forbearing the respondents 1 and 2 from interfering in the civil dispute pertaining to the

possession of the property admeasuring 1.50 acres out of 14.52 acres comprised in S.No.423/1B situated at Ettimadai Village, Madukarai, Coimbatore District which is the subject matter of the suits in O.S.No.1502/2016 on the file of Additional District Munsif No.3, Coimbatore and O.S.No.1603/2016 on the file of Principal District Munsif Court, Coimbatore.

2. Heard Mr.D. Vairamurthy, learned Special Government Pleader takes notice for the respondents 1 and 2 and perused the materials available on record.

3. For the same relief, earlier, this Court, by Order dated 18.01.2017 in CrI.O.P.No.27538 of 2016 passed an order, which reads as follows:

"5. In the result, the criminal original petition is disposed of, by directing the respondent police to consider the representation of the petitioner dated 12.12.2016 on merits and in accordance with law, after issuing notice to the petitioner as well as all the interested parties and take appropriate action within a period of four weeks from the date of receipt of a copy of this order. Till then, the respondents are directed to provide adequate police protection to the petitioner. However, the same will be at the cost of the petitioner."

4. Such being the position, as directed by this Court on 18.01.2017, it is for the police authorities to call both the parties, enquire, consider the rival submissions and thereafter proceed in accordance with law. With the above observation, the writ petition is disposed of. No costs. Consequently, connected WMP is closed.

-s/d-

Deputy Registrar

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Coimbatore
 2. Inspector of Police,
K-G, Chavadi Police Station, Coimbatore
 3. The Additional District Munsif No 3
Coimbatore
 4. The Principal District Munsif
Coimbatore.
- +1 CC to Mr.G. Rajan, Advocate sr 43607

W.P.No.15335 Of 2017

RSY (CO)
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