



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**
AND
THE HONOURABLE MR.JUSTICE **N.SATHISH KUMAR**

W.A. (MD) No.936 of 2017

M.Muthazhahan

: Appellant

Vs.

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Nagerkoil, Kanyakumari District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Nagerkoil, Kanyakumari District.
- 3.The Inspector of Police
Office of the Inspector of Police,
Kottar Police Station, Kottar,
Nagerkoil, Kanyakumari District.

4.S.Kamaraj

: Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act, against the order made in W.P.(MD).No.10396 of 2017, dated 06.06.2017, on the file of this Court.

Prayer in WP(MD). 10396/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of mandamus, direction in the nature of writ, directing the respondents no.1 to 3 to take action against the respondent no.4 as per section 3(iv), (v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

For Appellant

:Mr.T.Lajapathiroy

For Respondents 1 to 3

:Mr.T.R.Janarthanan

Additional Government Pleader

For Respondent 4

:Mr.H.Thayumanaswamy

**J U D G M E N T**

[Judgment of the Court was delivered by **M.M.SUNDRESH, J.**]

The learned counsel for the appellant is not able to put forth the submission as mentioned in the affidavit filed in support of the appeal.

2.The appellant wants to convert the civil dispute into a criminal one. No doubt that the appellant filed a suit for the very same issue in O.S.No.226 of 2010, which was dismissed as not pressed. Pursuant to the marking of exhibit by the appellant in O.S.No.127 of 2016, decree for permanent injunction has been granted. Now the complaint has been given in the year 2015 and 2017.

3.We do not find any merit in this appeal. Therefore, this writ appeal is dismissed. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Nagerkoil, Kanyakumari District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Nagerkoil, Kanyakumari District.
- 3.The Inspector of Police
Office of the Inspector of Police,
Kottar Police Station, Kottar,
Nagerkoil, Kanyakumari District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 76956

+1cc to Mr.T.LAJAPATHI ROY Advocate in SR. No.76765

+1cc to Mr.H.THAYUMANASWAMY Advocate in SR. No. 76842

DSK

JS/SKN.RSK/SAR.2/27.09.2017/2P-7C

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