



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2017

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THE HON'BLE MR.JUSTICE P.N.PRAKASH

W.P. (MD) No.1246 of 2017

Sulthan

... Petitioner

-vs-

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

2.The Sub-Inspector of Police,
R.S.Mangalam Police Station,
Ramanathapuram District.

3.Ubayath Nisha

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the respondents Nos.1 & 2 not to interfere into the civil dispute between petitioner and the 3rd respondent regarding the petitioners property Natham Survey No.290-8B to measuring an extent 002135.00 Ares situated at R.S.Mangalam Thiruvadanai Taluk Ramanathapuram.

For Petitioner : Mr.V.K.Saravanan

For R1 & R2 : Mr.T.S.Mohammed Mohideen,
Addl. Govt. Pleader

For R3 : Mr.D.Senthil

O R D E R

This petition has been filed, seeking to direct the respondents Nos.1 & 2 not to interfere into the civil dispute between petitioner and the 3rd respondent regarding the petitioners property Natham Survey No.290-8B to measuring an extent 002135.00 Ares situated at R.S.Mangalam, Thiruvadanai Taluk, Ramanathapuram.



Taluk, Ramanathapuram and that the 3rd respondent is trying to take forcible possession of the land by lodging a false complaint against the petitioner to the 2nd respondent police. Hence, the petitioner is before this Court with the above prayer.

3. Heard the learned counsel for the petitioner, learned Additional Government Pleader appearing for R1 & R2 and the learned counsel for R3. Mr.R.Ganesan, Sub-Inspector of Police, R.S.Mangalam Police Station is present.

4. The fact remains that there are civil disputes pending between the petitioner and the 3rd respondent since 1999. Learned counsel for the petitioner submitted that the petitioner has already obtained an order of injunction in O.S.13 of 2017 on the file of Sub Court, Ramanathapuram against the 3rd respondent.

5. Learned Additional Government Pleader submitted that in view of civil dispute between the parties, the Police will not take sides with either of the parties, unless either of them commits any cognizable offence.

6. In view of the above submission, this petition is closed with a direction to the respondent police not to interfere with the civil dispute, except where a cognizable offence has been committed by either of them. No costs.

Sd/-

Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar

To:

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

2.The Sub-Inspector of Police,
R.S.Mangalam Police Station,
Ramanathapuram District.

+1 cc to Mr.V.K.Saravanan , Advocate in SR.No. 15699
+1 cc to Mr.D.Senthil , Advocate in SR.No. 14934
+1 cc to Special Government Pleader, SR.No:15084

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AE/SV SAR3/11.04.2017/2P/6C