



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 05.09.2017

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No.16596 of 2017

N.Ganesan

... Petitioner

-Vs-

1. The Deputy Inspector General of Police,
Dindigul.
2. The Superintendent of Police,
Dindigul District.
3. The Deputy Superintendent of Police,
Vedasandur, Dindigul District.
4. The Inspector of Police,
Vedasandur Police Station,
Dindigul District.
5. Masi
6. N.Venkatraman

... Respondents

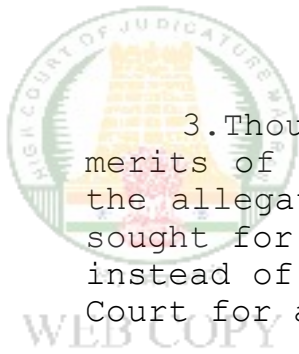
Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents herein from forcibly dispossessing the petitioner in the dwelling house Door No.79, in S.Nos.1515, 1516/2-1 measuring 8.62 acres in Perumalgounden Patti, Ward No.3, Nagampatti Panchayat, Vedasandur Taluk, Dindigul District pending civil dispute.

For Petitioner : Mr.K.Appadurai
For R-1 to R-4 : Mr.A.K.Baskara Pandian,
Special Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus, forbearing the respondents herein from forcibly dispossessing the petitioner in the dwelling house Door No.79, in S.Nos.1515, 1516/2-1 measuring 8.62 acres in Perumalgounden Patti, Ward No.3, Nagampatti Panchayat, Vedasandur Taluk, Dindigul District pending civil dispute.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 4.



3. Though the petitioner has stated so many things about the merits of this case, this Court is not inclined to go into any of the allegation or submission made by the petitioner as the prayer sought for in this Writ Petition cannot be granted. The petitioner, instead of filing a suit before the civil Court, has approached this Court for a prayer, which is similar to an order of injunction.

4. The learned counsel appearing for the petitioner further stated that a suit in O.S.No.391 of 2015 on the file of the learned Principal District Munsif, Dindigul, C.M.A No.19 of 2016 on the file of the Sub Court and another suit in O.S.No.14 of 2014 on the file of the Additional District Court, Dindigul are pending between the 6th respondent herein and the petitioner. The petitioner has also disclosed the same in the affidavit filed in support of this petition. When it is admitted that civil suits are pending, it is nothing but abuse of process of law to approach this Court with the prayer, that is now sought before this Court by the petitioner. Hence, this Writ Petition is dismissed.

5. The petitioner shall pay a cost of Rs.1,000/- (Rupees one Thousand only) to the credit of the Hon'ble Chief Justice Relief Fund, Madurai Bench of Madras High Court, Madurai.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Deputy Inspector General of Police, Dindigul.
2. The Superintendent of Police,
Dindigul District.
3. The Deputy Superintendent of Police,
Vedasandur, Dindigul District.
4. The Inspector of Police,
Vedasandur Police Station,
Dindigul District.

Copy To:-

The Section Officer, Bills Section/Account Section,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.K.APPADURAI, ADVOCATE IN SR No. 76705
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 77285
IS/TA

TE/MR-KKR/SAR-I : 12/09/2017 : 2P/8C