



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2017

WEB COPY

CORAM :
THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**
W.P.(MD)No.17651 of 2017
and
W.M.P.(MD)No.14211 of 2017

N.Jeyaraman

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai.

2.The Inspector of Police,
Avaniapuram Police Station,
Madurai-625012.

3.K.Sornam

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 1 and 2 from interfering in the civil dispute between the petitioner and the third respondent pertaining to the property bearing Plot No.4848, Tamilnadu Housing Board Colony, Villapuram, Madurai and compelling and coercing the petitioner to remove the split air conditioner installed thereon.

For Petitioner : Mr.J.Barathan
For Respondents 1 & 2 : Mr.A.K.Baskara Pandian
Special Government Pleader

ORDER

This petition is filed for issuance of a Writ of Mandamus, forbearing the respondents 1 and 2 from interfering with the civil disputes between the petitioner and the 3rd respondent pertaining to the property bearing Plot No.4848 in Tamilnadu Housing Board colony, Villapuram, Madurai.

2.The case of the petitioner is that he is in possession of the plot mentioned in this petition, pursuant to an agreement of sale stated to have been executed by the third respondent in favour of the petitioner. The petitioner further states that he has also filed a suit for specific performance in O.S.No.701 of



2012 on the file of the Principal Sub Court, Madurai. It is further stated that the third respondent also has filed R.C.O.P.No.14 of 2010 on the file of the District Munsif, Rent Controller, Madurai for eviction.

3. It is the case of the third respondent that the petitioner is only a tenant. There is a dispute with regard to the property between the petitioner and third respondent. Learned Special Government Pleader appearing for the respondents, on instructions, submitted that the second respondent enquired in to the complaint and found that the dispute is purely civil in nature. It is further stated that the complaint is therefore closed after directing the petitioner as well as the third respondent to approach the Civil Court for appropriate remedy.

4. Considering the above said submission made by the learned Special Government Pleader, this Court is of the view, no further order is necessary in this writ petition. Accordingly, this Writ Petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Madurai.

2. The Inspector of Police,
Avaniapuram Police Station,
Madurai-625012.

+1cc to M/S.T.R.JEYA PALAM, Advocate SR.No.80086

+1cc to Special Government Pleader, SR.No. 79910

rmi/sss

MAS/MR-KKR/SAR2:12.10.2017:2P-5C

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and

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