



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.12.2017

CORAM

WEB COPY

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

W.P. (MD) No.22478 of 2017

and

W.M.P (MD) .No.18785 of 2017

Sivaraman

... Petitioner

-Vs-

1. The Superintendent of Police,
Ramanathapuram,
Ramanathapuram District.
2. The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.
3. The Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.
4. Ramar

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the third respondent not to interfere in the civil dispute based on the complaint given by the fourth respondent and consequently direct the first respondent to take action against the third respondent based on the petitioner's representation dated 30.11.2017.

For Petitioner : Mr.M.Subashbabu
For R1 to R3 : Mr.D.Muruganantham
Additional Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus seeking a direction to the third respondent not to interfere in the civil dispute based on the complaint given by the fourth respondent and for further relief based on the petitioner's representation dated 30.11.2017.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the



respondents 1 to 3.

3. It is stated that the fourth respondent has lodged a complaint before the third respondent and hence the petitioner is compelled to pay a sum of Rs.7,10,000/- to the fourth respondent for carrying out the work of desilting mud in Oorani jointly by the petitioner and the fourth respondent and therefore, the said amount is due and payable by the petitioner to the fourth respondent.

4. The learned counsel appearing for the petitioner submits that the dispute is purely civil in nature. Further, earlier complaint lodged by the fourth respondent was enquired into and closed. It is stated that once again the fourth respondent has compelled the third respondent to conduct an enquiry and that the petitioner is being harassed and forced to make payment.

5. Mr. D. Anbarasan, learned counsel, who takes notice for the fourth respondent submitted that the petitioner has agreed to pay the above said amount and has also admitted his liability at the time of enquiry. It is stated that after agreeing to pay the said amount to the fourth respondent, the petitioner has filed the present writ petition.

6. The learned Additional Government Pleader on instruction submits that the complaint was entertained and enquiry was conducted. Though the petitioner agreed to pay a sum of Rs.7,10,000/- to the fourth respondent, he has not turned up. Similarly, another person, who was also shown as the second accused, has also agreed to pay a sum of Rs.2,50,000/- within a period of fifteen days.

7. It is further stated that the parties have agreed that they will work out their remedy before the appropriate forum based on the documents and evidences. It is also stated that the complaint itself was closed with a direction to the parties to approach the Civil Court for appropriate relief.

8. In view of the above, this writ petition is closed as no further direction is necessary. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar



To

1. The Superintendent of Police,
Ramanathapuram,
Ramanathapuram District.
2. The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.
3. The Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 91940
+ 1 CC TO Mr.M.SUBASH BABU, ADVOCATE IN SR No. 92178
+ 1 CC TO Mr.D.ANBARASU, ADVOCATE IN SR No. 91969

RMK/PSD

TE/SKN-RSK/SAR-1 : 14/12/2017 : 3P/7C

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