



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2017

CORAM

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

W.P.(MD) No.7190 of 2017

and

W.M.P(MD)No.5670 of 2017

S.Abdul Jabber

... Petitioner

-vs-

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Kadayanallur Police Station,
Tirunelveli District.

3.Shahul Hammed

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, forbearing the 2nd respondent from interfering with the civil dispute in respect of which the suit in O.S.No.412 of 2016, on the file of the Principal District Munsif Court, Tenkasi is pending.

For Petitioner	:	Mr.H.Arumugam
For R1 & R2	:	Mr.T.S.Mohammed Mohideen Additional Government Pleader

O R D E R

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1 & 2.

2.On instruction, the learned Additional Government Pleader submitted that on the complaint given by the third respondent against the petitioner, petition enquiry was conducted in C.S.R.No.69 of 2017. During petition enquiry, it came to light that suit is pending between the petitioner and his son third respondent in O.S.No.412 of 2016 on the file of the Principal District Munsif, Tenkasi. On that ground, petition enquiry has been closed.

3.In such circumstances, the respondent police shall not harass the petitioner relating to the civil dispute between the petitioner and his son Shahul Hammed, unless a cognizable offence is committed.



4. With the above directions, the writ petition is closed. No costs. Consequently, connected miscellaneous petition is also closed.

WEB COPY

Sd/-

Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To:

1. The Superintendent of Police,
Tirunelveli District.

2. The Inspector of Police,
Kadayanallur Police Station,
Tirunelveli District.

+1 CC to Mr. H. Arumugam, Advocate, SR No. 52992

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 53133

AM

PSM/KP/02.05.2017/2P/5C

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