



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2017

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

W.P. (MD) No.9696 of 2017 and
W.M.P. (MD) Nos.7445 and 8650 of 2017

S.Asmathullah

... Petitioner

-vs-

1. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.2. The Additional Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.3. The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District,
Ramanathapuram.

4. Syed Ahamed

5. Syed Masook

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, forbearing the respondents 1 to 3 from interfering the civil disputes between the petitioner and the private respondent in respect of the 3rd respondent from interfering the civil dispute in respect of the property in T.S.No.24, G.R.S.No.325/672 Soorakottai Group, Ramanathapuram Taluk, Ramanathapuram District.

For Petitioner : Mr.T.Antony Arulraj

For R1 to R3 : Mr.T.S.Mohammed Mohideen,
Addl. Govt. PleaderFor R4 : M/s.Chettinad Legal Solutions
Mr.RM.Arun Swaminathan

O R D E R

This petition has been filed, forbearing the respondents 1 to 3 from interfering into the civil disputes between the petitioner and the private respondent in respect of the 3rd respondent from interfering the civil dispute in respect of the property in T.S.No.24, G.R.S.No.325/672 Soorakottai Group, Ramanathapuram Taluk, Ramanathapuram District.



2. When the matter was taken up for hearing, learned Additional Government Pleader submitted that on the complaint given by one Rilvanudeen, the respondent police have registered a case in Crime No.692 of 2016 on 27.11.2016 under Sections 147, 447, 448, 506(1) and 379 IPC and Section 3 of TNPPDL Act, 1992 against eight accused, including the petitioner herein, who has been shown as A3. The allegation in the FIR is with regard to the alleged trespass and destruction of the property in question. The accused in Crime No.692 of 2016 filed a quash petition in CrI.O.P. (MD) Nos.6839 and 6840 of 2017, which has been dismissed by this Court on 08.06.2017.

3. Learned Additional Government Pleader also submitted that on the complaint given by one Asanaliyar, another FIR has been registered in Bazaar Police Station Crime No.273 of 2017 on 27.05.2017 under Sections 147, 294(b), 447, 448, 109, 506(1) and 379 (NH) IPC and Section 3 of TNPPDL Act against Asmathullah / petitioner herein and nine others and this FIR is also in connection with the alleged destruction of the property in dispute. When there are two criminal cases registered against the petitioner, the relief claimed by the petitioner in this writ petition cannot be granted.

In the result, this petition is devoid of merits and the same is accordingly dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AD-II)

/ True Copy /

Sub Assistant Registrar(C.S.)

To:

1. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
2. The Additional Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
3. The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District,
Ramanathapuram.

+1cc to M/S.R.M.ARUN SWAMINATHAN, Advocate SR.No.61557

+1cc to Special Government Pleader, SR.No. 61881

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MAS/JC/SAR2:06.07.2017:2P-6C

W.P. (MD) No.9696 of 2017

22.06.2017