



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WEB COPY

W.P (MD) No.11405 of 2011

and

M.P (MD) No.1 of 2011

V.S.Pandian

.. Petitioner

Vs.

1. The Superintendent of Police,
Madurai District.

2. The Additional District Superintendent of Police,
Madurai District.

3. The Inspector of Police,
District Crime Branch,
Madurai District, Madurai.

4. V.S.Arumugam

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus forbearing the second and third respondents from interfering with the rights of the parties in the pending civil litigation between the petitioner and the fourth respondent.

For Petitioner : Mr.T.C.S.Thillainayagam

For Respondents 1 to 3 : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader.

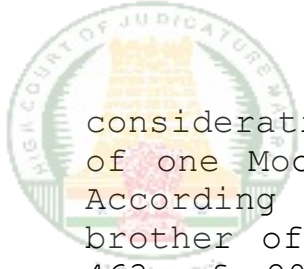
For Respondent No.4 : Mr.R.Narayanan

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the respondents 2 and 3 not to interfere with the rights of the parties in the pending civil litigation between the petitioner and the fourth respondent.

2.Heard both sides.

3.The case of the petitioner is that he purchased a punja land to an extent of 64 cents situated in Survey No.188/2, Vavidai Maruthur Village, Vadipatti Taluk, Madurai District for valuable



consideration and he executed a power of attorney deed in favour of one Mookan, who in turn sold the same to one M.V.Karuppaiah. According to the petitioner, the fourth respondent, who is the brother of the petitioner, filed suits in O.S.No.450 of 2008 and 463 of 2008, before the District Munsif Court, Vadipatti, in respect of the said property and also filed a criminal complaint before the third respondent. Pending civil suits, the third respondent threatened the petitioner. Therefore, the petitioner is before this Court.

4.This is nothing, but a property dispute between brothers and one of them has filed O.S.Nos.450 of 2008 and 461 of 2008 on the file of the District Munsif Court, Vadipatti. Under such circumstances, there is no ground available for maintaining this writ petition. Accordingly, this writ petition is closed, leaving it open to the parties, to seek appropriate remedy in the pending suits. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(writs)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Madurai District.
2. The Additional District Superintendent of Police,
Madurai District.
3. The Inspector of Police,
District Crime Branch,
Madurai District, Madurai.

+1cc to The Spl.Government Pleader Sr.No.83294

SMN

VB/SV/MMS/SAR3/01/11/2017/2P/5C

ORDER MADE IN
W.P (MD) No.11405 of 2011
and
M.P (MD) No.1 of 2011
23.10.2017