



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Dated: 22.02.2017

Coram
THE HON'BLE MR.JUSTICE M.S.RAMESH
Writ Petition (MD)No.2736 of 2013
and
M.P.(MD)No.1 of 2013

Nesamany

... Petitioner

Vs

1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2.The Inspector of Police (Incharge)
Thatchanallur Police Station,
Tirunelveli District.

3.The Inspector of Police,
Junction Police Station,
Tirunelveli District.

4.Selvaraj

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent, who is in-charge of the 2nd respondent, not to interfere in the civil dispute between the petitioner and the 4th respondent and subsequently, direct the 1st respondent to take necessary action, based on the representation of the petitioner, dated 18.02.2013.

For petitioner

: Mr.P.T.Ramesh Raja

For R1 to R3

: Mr.M.Alagathevan

For R4

Special Government Pleader
: Mr.H.Arumugam

O R D E R

The writ petition has been filed for a writ of Mandamus directing the third respondent, who is in-charge of the second respondent, not to interfere in the civil dispute between the petitioner and the fourth respondent and subsequently, direct the first respondent to take necessary action, based on the representation of the petitioner, dated 18.02.2013.



2. With regard to a dispute in connection with the property comprised in Survey No.341/4, the fourth respondent had filed a civil suit in O.S.No.589 of 2007. The suit came to be decreed. Against which, the petitioner had preferred an appeal in A.S.No.71 of 2011 before the Principal Sub Court, Tirunelveli. The appeal was also dismissed. As against which, the petitioner preferred a second appeal in S.A.No.96 of 2013 which is said to be pending before this Court. The petitioner's case is that the dispute between herself and the fourth respondent is purely civil in nature and that at the instigation of the fourth respondent, the third respondent has been threatening and intimidating the petitioner.

3. The learned Special Government Pleader on instructions submitted that there is no complaint from either of the parties and that they had not been interfering with the rights of the parties. The learned Special Government Pleader further submitted that the third respondent has no intention of interfering into the civil dispute unless and until complaint has been made in this regard.

4. Recording the submissions made by the learned Special Government Pleader, the writ petition is closed. No costs. Consequently, the connected Miscellaneous Petition is closed.

SD/-
ASSISTANT REGISTRAR

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

- 1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.
- 2.The Inspector of Police (Incharge)
Thatchanallur Police Station,
Tirunelveli District.
- 3.The Inspector of Police,
Junction Police Station,
Tirunelveli District.

+1 CC TO SPECIAL GOVERNMENT PLEADER, SR NO.10090
+1 CC TO MR. H.ARUMUGAM, ADVOCATE, SR NO.10258

MAS/MR:16.03.2017:2P-6C