



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 20.11.2018

CORAM

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THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

W.P. (MD) No. 23004 of 2018

Kasthuri

... Petitioner

Vs.

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

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

3. Natarajan

4. Veerappan

... Respondents

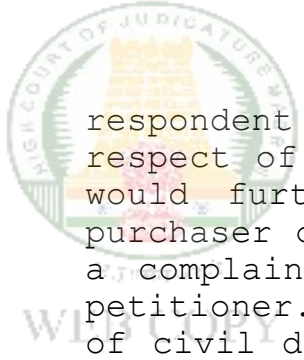
PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to direct the 2nd respondent not to interfere in the civil dispute regarding petitioner's cultivatable lands comprised in Survey Nos. 351/1, 351/2 and 351/6 at Rayagiri Village, Sivagiri Sub-Registrar, Tirunelveli District on the basis of the petitioner's representation dated 08.11.2018 and 15.11.2018.

For Petitioner	: Mr. T. Indirachitthu
For R-1 & R-2	: Mr. R. Anandharaj
	Addl. Public Prosecutor

O R D E R

This petition has been filed seeking for issuance of a Writ of Mandamus, directing the first respondent to direct the second respondent not to interfere in the civil dispute regarding petitioner's cultivable lands comprised in Survey Nos. 351/1, 351/2 and 351/6 at Rayagiri Village, Sivagiri Taluk, Tirunelveli District, on the basis of the petitioner's representation dated 08.11.2018 and 15.11.2018.

2. The learned Additional Public Prosecutor would submit that in respect of the properties in Survey Nos. 351/1, 351/2 and 351/6 at Rayagiri Village, a rival claim has been made by the third



respondent and the suit in O.S.No.198 of 2007 was also filed in respect of the subject property and the said suit was decreed. He would further submit that the fourth respondent is an auction purchaser of the suit property. He would also submit that earlier a complaint has been given by the fourth respondent against the petitioner. Since the second respondent found that this is a case of civil dispute and that litigations are pending before the civil Courts, he has not interfered with the civil dispute and the enquiry has been closed on 07.11.2018, directing the fourth respondent to approach the concerned civil Court to seek appropriate relief. However, based on the representation of the petitioner dated 08.11.2018 and 15.11.2018, the petitioner was called for an enquiry. But, the petitioner has not turned up.

4. In view of the said submission made by the learned Additional Public Prosecutor that there is a civil dispute pending between the parties, this Court is not inclined to grant the relief sought for by the petitioner.

5. Therefore, recording the submission of the learned Additional Public Prosecutor, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar(crl.side)

/True Copy/

Sub Assistant Registrar(cs-IV)

To

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
2. The Inspector of Police,
Sivagiri Police Station,
Sivagiri,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/s.T.Indirachitthu Advocate in SR.No.96490

order made in
W.P. (MD) No.23004 of 2018
20.11.2018