



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WEB COPY

W.P.(MD).No.19361 of 2018

Ameer Mohideen

... Petitioner

Vs.

1. The Superintendent of Police,
Tirunelveli District.

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

3. The Sub-Inspector of Police,
Eruvadi Police Station,
Tirunelveli District.

4. Kamal Mohideen

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second and third respondents not to interfere into the petitioners right of the petitioners house property situated at No.3, Uppu South Street, Eruvadi, Nanguneri Taluk, Tirunelveli District.

For Petitioner : Mr.R.Anand

For R-1 to R-3 : Mr.B.Bhagawathi

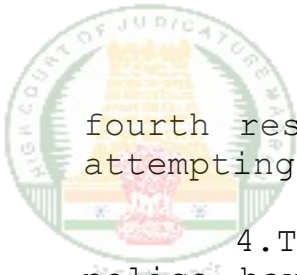
Government Advocate

ORDER

This petition has been filed for a direction to the respondent police not to interfere, in a civil dispute between the petitioner and the fourth respondent.

2.It is seen from records that in the year 2014, there was an attempt to vacate the petitioner by force, which resulted in the complaint before the respondent police. The respondent police directed both the parties to be present for enquiry and after enquiry both the parties agreed to approach the civil Court in order to seek appropriate remedy.

3.The learned counsel for the petitioner would submit that during the month of January, the third respondent police again called the petitioner for an enquiry based on complaint given by the fourth respondent. It is the case of the petitioner that the



fourth respondent without resorting to the civil remedy is again attempting to vacate the petitioner.

4.The learned Government Advocate would submit that the police have already closed the case, since the parties given an undertaking that they will resolve the dispute before the civil Court.

5.The learned counsel for the petitioner would further state that the police should not interfere with the civil dispute between the petitioner and the fourth respondent.

6.The submission made by the learned Government Advocate is recorded and it is made clear that the dispute between the petitioner and the fourth respondent can be agitated only before the civil Court and the third respondent police shall not interfere with the civil dispute.

7.Accordingly, the writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The Superintendent of Police,
Tirunelveli District.
2. The Inspector of Police,
Eruvadi Police Station,
Tirunelveli District.
3. The Sub-Inspector of Police,
Eruvadi Police Station,
Tirunelveli District.

+1cc to SPECIAL GOVERNMENT PLEADER, SR. No.83719

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MK/TE/SKN/SAR 1/03.10.2018/2P/5C

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