



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.[MD].No.20573 of 2018

and

W.M.P(MD) No.18318 of 2018

Premavathi

... Petitioner

Vs.

1. The Superintendent of Police
Virudhunagar District
Virudhunagar
2. The Deputy Superintendent of Police
Sattur, Virudhunagar District
3. The Inspector of Police
Sattur Town Police Station
Virudhunagar District

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second and third respondents herein not to interfere in the civil/property dispute in respect of the property situated in Survey No.174/3, Sattur, Virudhunagar District.

For Petitioner	: Mr.M.Jothibas
For Respondents	: Mr.B.Bhagawathi
	Government Advocate

ORDER

This petition has been filed to direct the second and third respondent not to interfere with the civil dispute pending between the parties.

2. The learned counsel for the petitioner would submit that there was already partition suit between the parties which ended in a decree in the year 1988. Subsequently an application was filed for passing of final decree. The application filed for passing of final decree was dismissed for default and steps are taken to restore the same. In the mean time, other parties in the partition suit approached the police and also trying to interfere with the civil dispute.

<https://hcservices.ecourts.gov.in/hcservices/>

3. The learned Government Advocate would submit that the second



and third respondents are not interfering with the civil dispute between the parties and the parties will have to agitate their rights only before the civil court and the police will not interfere in the civil dispute.

4. Mrs.S.Mahalakshmi, learned Counsel appearing for the parties in the suit would submit that final decree application was dismissed for default and the petitioner was taking steps to change the character of property, therefore complaint was given to the respondent police.

5. Taking into consideration, the facts and circumstances of the case, the parties are at liberty to agitate their rights only before the civil court and they should not approach the police for the purpose of establishing their rights over the property. It is also made clear that the respondent police will not interfere with the civil dispute pending between the parties.

6. With the above direction, the writ petition is disposed of . No Costs. consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1. The Superintendent of Police
Virudhunagar District
Virudhunagar
2. The Deputy Superintendent of Police
Sattur, Virudhunagar District
3. The Inspector of Police
Sattur Town Police Station
Virudhunagar District

+1CC TO M/S.G.M.LAW OFFICE IN SR.NO.87804.

+1CC TO SPECIAL GOVERNMENT PLEADER IN SR.NO.87921.

AAV

DS PM SAR-4 05.10.2018 2P/6C

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