



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**

W.P. (MD) No.14530 of 2019

S.Muthukumaran

: Petitioner

Versus

1.The District Superintendent of Police,
O/o. Superintendent of Police,
Dindigul,
Dindigul District.

2.The Inspector of Police,
Nilakottai Police Station,
Nilakottai,
Dindigul District.

3.R.Murugan

: Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the second respondent herein not to interfere the civil dispute between the petitioner as well as the third respondent herein and further, not to harass the petitioner in the guise of enquiry by considering the petitioner's representation dated 24.06.2019 within the time stipulated by this Court.

For Petitioner : Mr.D.Balamurugapandi

For Respondents 1&2 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Cr1.side)

O R D E R

This Writ Petition has been filed seeking a direction to the second respondent not to harass the petitioner under the guise of enquiry and also not to interfere with the civil dispute between the petitioner and the third respondent.

2. The grievance of the petitioner is that there is a civil dispute between him and the third respondent, for which, the wife of the petitioner has filed a civil suit against the third respondent in O.S.No.4 of 2019 on the file of the District Munsif Court, Nilakottai, seeking for injunction and the said suit is pending. Now, pending suit, based on the complaint given by the third respondent, the second respondent is harassing the petitioner.



Hence, he made a complaint to the higher authorities, but, no action has been taken so far. Hence, the present Writ Petition has been filed.

3. The learned Government Advocate (Criminal side) appearing for the first and second respondents, on instructions, submitted that only based on the complaint given by the petitioner, enquiry has been conducted and after enquiry, complaint has been closed as civil in nature and the second respondent is not harassing the petitioner, as alleged by him.

4. In view of the submission made by the learned Government Advocate (Criminal side) appearing for the first and second respondents that already the complaint given by the petitioner has been enquired into and thereafter, it was closed, as a civil suit is pending between the parties, the second respondent is directed not to harass the petitioner under the guise of enquiry.

5. The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Superintendent of Police,
O/o. Superintendent of Police,
Dindigul,
Dindigul District.

2.The Inspector of Police,
Nilakottai Police Station,
Nilakottai,
Dindigul District.

+1cc to Mr.D.BALAMURUGAPANDI, Advocate, SR.No.72886

Order made in
W.P. (MD) No.14530 of 2019

SML

KK/SAR/10.07.2019/2P-4C