



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 08.04.2019
CORAM
THE HONOURABLE MR. JUSTICE B.PUGALENDHI

W.P. (MD).20490 of 2015
and M.P. (MD).No.1 of 2015

S.Kamaraj .. Petitioner
Vs.

- 1.The Superintendent of Police,
Kanyakumari District, Nagercoil.
- 2.The Deputy Superintendent of Police,
District Crime Branch,
Nagercoil, Kanyakumari District.
- 3.The Inspector of Police,
District Crime Branch,
Nagercoil, Kanyakumari District.

4.S.Narayanan .. Respondents

(R4 is impleaded vide Court order, dated 02.12.2015 in M.P. (MD).No.2 of 2015)

PRAYER: Writ Petition filed under Article 226 of Constitution of India, for issuance of Writ of Mandamus forbearing the respondents and their subordinates or any other similar officials from anyway interfering with the civil disputes as to the petitioner's property viz., land having an extent of 66.5 Ares comprised in Old S.No.5094, New Survey No.527/1, Madhusuthanapuram, Thengamputhur Village, Agasteeswaram Taluk, Kanyakumari.

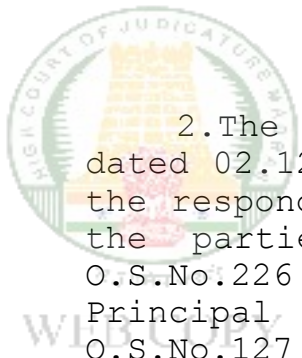
For Petitioner : Mr.H.Thayumanaswamy

For Respondents : Mr.R.Anandaraj for R1 to R3
Additional Public Prosecutor

Mr.T.Lajapathi Roy for R4

ORDER

This writ petition has been filed for issuance of writ of Mandamus forbearing the respondents and their Subordinates or any other officials from anyway interfering with the civil dispute as to the petitioner's property, viz., land having an extent of 66.5 Ares comprised in Old S.No.5094, New Survey No.527/1, Madhusuthanapuram, Thengamputhur Village, Agasteeswaram Taluk, Kanyakumari.



2.The respondent No.4 is impleaded as a party vide the order dated 02.12.2015 in M.P.(MD).No.2 of 2015. The learned counsel for the respondent No.4 would submit that civil suit is pending between the parties before the I Additional Sub-Court, Nagercoil in O.S.No.226 of 2010, originally it was instituted before the Principal District Court, Kanyakumari District at Nagercoil in O.S.No.127 of 2004.

3.It is represented by the respondent police that they have not harassed the petitioner at any point of time and he has to workout the remedy only before the competent civil court. Similar submission has also been made by the respondent No.4.

4.In view of the submissions made by the respondents herein, this writ petition is closed with liberty to the petitioner to work out his remedy before the competent civil Court. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AE)

/ True Copy /

Sub Assistant Registrar(CS-)

TM

To

1.The Superintendent of Police,
Kanyakumari District, Nagercoil.

2.The Deputy Superintendent of Police,
District Crime Branch,
Nagercoil, Kanyakumari District.

3.The Inspector of Police,
District Crime Branch,
Nagercoil, Kanyakumari District.

+1 CC to M/s.H.THAYUMANASWAMY, Advocate
(SR-60134[F] dated 10/04/2019)

W.P. (MD) .20490 of 2015
08.04.2019

ES/14.06.2019/2P/5C