

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 05.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN****W.P. (MD) No.17059 of 2019**

Malaiyammal

... Petitioner

Vs.

1.The Commissioner of Police,
Tirunelveli District.

2.The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City.

3.A.Nagarajan,
President,
Vinobha Bave Sarvodaya
Samukkha Seva Sangam, 10/2014,
25/18, Ramavaram New Street, Vadaseri,
Kannaykumari District.

4.R.Sivaganan,
Secretary,
Vinobha Bave Sarvodaya
Samukkha Seva Sangam, 10/2014,
25/18, Ramavaram New Street, Vadaseri,
Kannaykumari District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the second respondent to not to interfere in the civil dispute in patta no.125 between the petitioner's and respondents 3 and 4.



For Petitioner : Mr.T.A.Ebanezer
For R-1 & R-2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.side)

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ORDER

This Writ Petition has been filed seeking direction to the second respondent not to interfere with the civil dispute between the parties.

2. The grievance of the petitioner is that there is a dispute between the petitioner and the respondents 3 and 4 in respect of the property in Survey No.783 / 2 and 784 /2 in Kulavanigarpuram Village. Now, based on a complaint given by the fourth respondent, the second respondent Police is harassing the petitioner and also asking him to handover the possession of the properties to the third and fourth respondents. Hence the present Writ Petition has been filed.

3. Today, when the matter was taken up for hearing, the learned Government Advocate (Criminal side) appearing for the respondents 1 and 2, on instructions, submitted that based on a complaint given by the fourth respondent, enquiry has been conducted. The enquiry reveals that the patta transfer proceedings is pending before the District Revenue Officer, Tirunelveli and both parties have given a statement that they will abide by the order passed by the Revenue Authorities. The respondent Police recorded the statement and closed the complaint.

4. Considering the fact that already the complaint given by the fourth respondent is enquired into and closed by the second respondent Police, no further adjudication is required in this Writ Petition. The Writ Petition stands dismissed accordingly. However, the second respondent is directed not to harass the petitioner and not to interfere in any of the suit dispute between the parties.

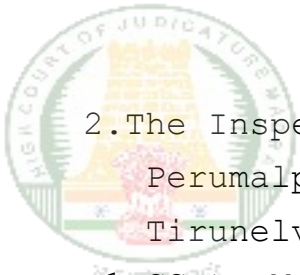
Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To
1.The Commissioner of Police,
Tirunelveli District.



2.The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City.

+1 CC to M/s.T.A.EBENEZER, Advocate (SR-79855[F] dated 06/08/2019)

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Dated: 05.08.2019

tsg

KK/SAR/19.08.2019/3P-4C