



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. (MD)No.4725 of 2018

G.Sivasankara Pandian

... Petitioner

Vs.

1.The Commissioner of Police,
Tirunelveli City, Tirunelveli.

2.The Assistant Commissioner of Police,
Crime Branch, Tirunelveli Town,
Tirunelveli District.

3.P.Jegadeesan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the second respondent from interfering with the civil dispute under the guise of enquiry.

For Petitioner	:	Mr.H.Arumugam
For R-1 & R-2	:	Mr.K.Suyambulinga Bharathi Government Advocate (Criminal side)

O R D E R

This Writ Petition has been filed seeking a direction to the first and second respondents, not to interfere with the civil dispute between the parties.

2.According to the petitioner, there is a civil dispute between the petitioner and the third respondent regarding purchase of the property. Now, based on a complaint given by the third respondent, the second respondent is harassing the petitioner and also threatened him to handover the sale deed. 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, earlier based on a complaint given by the petitioner, First Information Report has been registered against the third respondent for the offences under Sections 417, 418 and 420 of the Indian Penal Code. During the investigation, both the petitioner as well as the third respondent submitted that they have settled their dispute between themselves. In the above circumstances, the second respondent closed the complaint as "Mistake of fact" and also filed a negative final report before the concerned Jurisdictional Court.

4.Considering the facts and circumstances of the case and also considering the fact that the enquiry has been conducted and the same was closed as "Mistake of fact", no further adjudication is required in this petition.

5.The Writ Petition stands dismissed accordingly. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

To

1.The Commissioner of Police,
Tirunelveli City, Tirunelveli.

2.The Assistant Commissioner of Police,
Crime Branch, Tirunelveli Town,
Tirunelveli District.

+1 CC to M/s.H.ARUMUGAM, Advocate (SR-83104[F] dated 22/08/2019)

Order made in
W.P. (MD)No.4725 of 2018
Dated: 21.08.2019

Tsg
MS/12.09.2019/2P.4C