



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 18.10.2019

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.21692 of 2015 and

M.P. (MD)No.1 of 2015

E.Janarthanan

... Petitioner

Vs.

1. The Superintendent of Police,
Tirunelveli District.
2. The Deputy Superintendent of Police,
Economic Offences Wing(II) (U) ,
(Finance Institution),
Tirunelveli District.
3. The District Revenue Officer cum
Competent Authority,
Tirunelveli.
4. K.Sundaravelu,
S/o.Kanagasabapathy,
Managing Director,
Archana Property Developers,
Plot No.27, Jai Maruthi Nagar,
Kathir Veedu, Puzhal, Chennai.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the second respondent from interfering with the civil dispute of specific performance of agreement of sale dated 09.05.2014 entered with the fourth respondent.

For Petitioner : H.Arumugam

For R-1 to R-3 : Mr.A.Robinson,

Government Advocate(Crl.Side).

O R D E R

The petitioner alleges harassment at the hands of the second respondent herein.

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



2. The learned Government Advocate(Crl. Side) submitted that the fourth respondent is an accused in a case under Tamil Nadu Protection of Interests of Depositors(Financial Establishments) Act 1997. The police have recorded a statement from him. He had paid certain sum of money to the petitioner herein. In this connection, the petitioner was summoned to appear before the police authority.

3. The police cannot be restrained from discharging their duties in terms of the provisions set out in Cr.P.C. as well as Tamil Nadu Protection of Interests of Depositors(Financial Establishments) Act. This will not constitute interference in the civil dispute. The petitioner entered into an agreement with the fourth respondent herein. However, the second respondent will have to strictly adhere to due process of law.

4. With this direction and clarification, the writ petition stands disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar(CS)

To:

1. The Superintendent of Police,
Tirunelveli District.
2. The Deputy Superintendent of Police,
Economic Offences Wing(II) (U),
(Finance Institution),
Tirunelveli District.
3. The District Revenue Officer cum
Competent Authority,
Tirunelveli.

+1 CC to M/s.H.ARUMUGAM, Advocate (SR-93612[F] 22/10/2019)

W.P. (MD)No.21692 of 2015
18.10.2019

pmu

SDS (12.12.2019) 2P 5C