



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.10.2019

CORAM:

WEB COPY

THE HON'BLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P. (MD)No.22324 of 2019

V.G.Ponnusamy

... Petitioner

-vs-

1.The Superintendent of Police,
Thanjavur, Thanjavur District.

2.The Deputy Superintendent of Police,
Kumbakonam, Thanjavur District.

3.The Inspector of Police,
West Police Station,
Kumbakonam,
Thanjavur District.

4.Ibrahim Sha

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents 1 to 3 from interfering in the civil dispute in O.S.No.6 of 2018 on the file of the learned District Munsif, Thanjavur and to direct the respondents 1 to 3 to take appropriate action as against the fourth respondent.

For Petitioner : Mr.R.Maheswaran

For R1 to R3 : Mr.R.Anandharaj,
Additional Public Prosecutor

ORDER

This Writ Petition has been filed to forbear the respondents 1 to 3 from interfering in the civil dispute in O.S.No.6 of 2018 on the file of the learned District Munsif, Thanjavur and to direct the respondents 1 to 3 to take appropriate action as against the fourth respondent.

2.The learned counsel for the petitioner submitted that the petitioner entered into a sale agreement with one Anbazhagan. After paying advance, the possession was also handed over to the petitioner. While so, the fourth respondent, who is claimed to be a



owner of the said property, was disturbing the peaceful possession and enjoyment of the property. The learned counsel further submitted that in this regard, the respondents 1 to 3 are trying to evict the petitioner from the property comprised in T.S.No.76/3 measuring 1550 sq.ft situated at Potramaraikulam, South Street, Kumbakonam, Thanjavur District and hence, the present petition has been filed seeking aforesaid relief.

3.The learned Additional Public Prosecutor appearing for the respondents 1 to 3 submitted that for the very same issue, on the complaint lodged by the fourth respondent, already a case has been registered as against the son of the petitioner in crime No.245 of 2019 and another case has been registered as against one person, who aided the son of the petitioner, in crime No.224 of 2019. Both the cases are pending.

4.Considering the above facts and circumstances, the respondents 1 to 3 have no role to play in the civil dispute pending between the parties. Hence, the respondents 1 to 3 are directed not to interfere in the civil dispute pending in O.S.No.6 of 2018 on the file of the learned District Munsif, Thanjavur, filed by the petitioner herein, except the cases registered as against the son of the petitioner and one person, who aided the son of petitioner, in crime Nos.224 of 2019 & 245 of 2019.

5.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

gns

To

1.The Superintendent of Police,
Thanjavur, Thanjavur District.

2.The Deputy Superintendent of Police,
Kumbakonam, Thanjavur District.

3.The Inspector of Police,
West Police Station,
Kumbakonam,
Thanjavur District.

+1 CC to M/s.R.MAHESWARAN, Advocate (SR-93721[F] dated 22/10/2019)
W.P. (MD)No.22324 of 2019
22.10.2019

KK/SAR/24.10.2019/2P-5C/

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