



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.10.2019

CORAM :

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.(MD)No.17370 of 2017

and

WMP.No.13902 of 2017

P.Murugan

... Petitioner

Vs.

1.The Superintendent of Police,
Theni District.

2.The Deputy Superintendent of Police,
Periyakulam Division,
Theni District.

3.The Inspector of Police,
Devathanapatti Police Station,
Theni District.

4.Mr.Vinoji

5.Inbavalli

6.Rathinasamy

7.Dhanasekaran @ Kaniraja

8.Selvendran

9.Perumal Thevan

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents 2 to 4 from interfering with the civil dispute between the petitioner and the respondents 5 to 9 herein in respect of the properties situated in S.Nos.1494/1A and 1497/1 at Devathanapatti Village, Periyakulam Taluk, Theni District based on the complaint of the respondents 5 to 9.

For Petitioner: Mr.A.K.Manickam

For R1 to R3 : Mr.R.Anandharaj

Additional Public Prosecutor

For R5 & R6 : Mr.A.L.Vijay Devaraj



O R D E R

This petition has been filed to forbear the the respondents 2 to 4 from interfering with the civil dispute between the petitioner and the respondents 5 to 9 herein in respect of the properties situated in S.Nos.1494/1A and 1497/1 at Devathanapatti Village, Periyakulam Taluk, Theni District, based on the complaint of the respondents 5 to 9.

2. Heard, Mr.A.K.Manickam, learned counsel appearing for the petitioner, Mr.R.Anandharaj, learned Additional Public Prosecutor appearing for the respondents 1 to 3 and Mr.A.L.Vijay Devaraj, learned counsel appearing for the respondents 5 & 6.

3. It is seen that the petitioner and the respondents 5 and 6 are brother and sister. There are civil dispute between them and in respect of same, the respondents 5 and 6 filed a suit for partition in O.S.No.72 of 2016 and the same is pending on the file of the learned District Munsif, Periyakulam. Admittedly, the respondents 2 to 4 have no role to play in the civil dispute between them.

4. Considering the above facts and circumstance, this Court directs the respondents 2 to 4 not to interfere with the civil dispute between the petitioner and the respondents 5 and 6 herein. However, after filing this writ petition, two FIR have been registered as against the petitioner and others in Crime No.478/2019 and Crime No.32/2019 on the file of the third respondent Devadhanapatty Police Station, Periyakulam. In respect of those crimes, the third respondent can investigate the matter. Hence, this Court directs the petitioner and the other accused persons to co-operate for investigation.

4. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

dss

To

1.The Superintendent of Police,
Theni District.

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



2.The Deputy Superintendent of Police,
Periyakulam Division,
Theni District.

3.The Inspector of Police,
Devathanapatti Police Station,
Theni District.

+2 CC to M/s.A.L.VIJAYDEVRAJ, Advocate (SR-92233[F] dated
16/10/2019)

+1 CC to M/s.A.K.MANICKAM, Advocate (SR-92076[F] dated 16/10/2019
)

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