

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA  
W.P.No.20583 of 2013  
(Heard Through VC)

A.Rahmath Beevi

.. Petitioner

Vs.

1. The Inspector of Police,  
Chidambaram Town Police Station,  
Cr.No.708/2013.
  2. Mangalam
  3. Mr.P.Murugandam,  
Inspector of Police,  
Chidambaram Town Police Station
- ...Respondents

\* \* \*

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent No.1 to forbear from interfering in a civil dispute and to honour abide by and provide protection for the obedience of the decree in O.S.No.89/99 of the Sub Court, Chidambaram and to restore possession of the area of 1125 sq.ft.covered by the decree aforesaid in the property in Door No.50/50A, North Car Street, Chidambaram to the petitioner.

\* \* \*

For Petitioner : Mr.R.Srinivas  
For Respondent-1 : Mr.V.Shanmugasundar, Spl.G.P  
For Respondent-2 : Mr.P.Gopalan  
For Respondent-3 : Served-No Appearance

ORDER

The prayer sought for in the Writ Petition is to direct the first respondent to forbear from interfering in a civil dispute and to honour abide by and provide protection for the obedience of the decree in O.S.No.89/99 of the Sub Court, Chidambaram and to restore possession of the area of 1125 sq.ft. covered by the decree aforesaid in the property in Door No.50/50A, North Car Street, Chidambaram to the petitioner.

2. The first respondent, on an alleged complaint dated 05.07.2013 given by the second respondent, had registered a case in Crime No.708 of 2013 under Sections 294(b), 506(ii) and 280 of I.P.C against one N.A.S.Ansari and others. The said Ansari is the brother of the petitioner herein. There seems to be civil disputes and both the parties have obtained decrees against each other and even in the execution petition, a Obstruction Petition was filed by the second respondent, which was allowed. C.M.A. preferred against the same was dismissed. It is also stated that a revision petition also met with the same fate on 13.11.2017.

3. While so, Crl.O.P.No.19242 of 2013 was filed by the said Anasari to quash the Crime No.708 of 2013. The said Crl.O.P was disposed of on 27.02.2019, after hearing the parties in detail. In the said order also, a reference was made with regard to civil proceedings pending between the parties and a direction was given to the Inspector of Police, Chidambaram Police Station, who is the first respondent herein, in the following manner :

"6. Considering the limited request made on either side, this Court without going into the merits of the case, is inclined to issue direction to the law enforcing agency to complete the investigation in Crime No.708 of 2013, after giving opportunity to the petitioner and the second respondent, within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner and the second respondent are directed to co-operate with the law enforcing agency for early completion of the investigation."

4. As already the parties have agreed to co-operate with the law enforcing agency in completing the investigation, there is no further order needs to be passed in this Writ Petition. However, as it is stated that the time granted in the said Crl.O.P.No. is already over and that there is no progress in the investigation, in view of the lock down, the time already granted is extended by twelve weeks from today, for completing the investigation.

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

-s/d-

Assistant Registrar

True copy

Sub-Assistant Registrar

To  
The Inspector of Police,  
Chidambaram Town Police Station.

W.P.No.20583 of 2013

sr(co)  
aa12/08/2020



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