IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.27346 of 2012

E.Ramakrishnan ... Petitioner

--Vs--

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

2. The Deputy Superintendent of Police,
Land Grabbing Cell,
O/o, The Superintendent of Police,
Tiruvallur 601 201.

3. The Inspector of Police,
Land Grabbing Cell,
O/o, The Superintendent of Police,
Tiruvallur 601 201.

4. Chellan

5. G.Dilli Babu ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents 2 and 3 and their subordinates from conducting any Mediation and Kangaroo Court upon the complaint of the respondents 4 and 5 against the petitioner in respect of the petitioner property being agricultural punja land measuring extent of 0.40.0 hectare i.e., 0.99 acre, comprised in Survey No.352/19, No.31, Kollanur Village, Gummidipoondi Taluk, Tiruvallur District.

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For Petitioner : Mr.R.Munuswamy

For Respondents 1 to 3 : Ms.S.Bhuvaneshwari
Additional Government Pleader

For Respondent-4 : Mr.M.Vivekanandan

For Respondent-5 : Mr.R.Murali

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O R D E R

The petitioner is before this Court for a civil dispute, which has rightly been prosecuted in O.S.No.191 of 2012 on the file of the District Munsif Court, Ponneri, which was subsequently said to have been transferred to the file of the District Munsif Court, Gummidipoondi and re-numbered as O.S.No.17 of 2019. The respondents 4 and 5 herein are the defendants in the above said suit.

2. The dispute revolves around the title of the plaintiff, measuring to an extent of 0.40.0 hectare i.e., 0.99 acre, comprised in Survey No.352/19, No.31, Kollanur Village, Gummidipoondi Taluk, Tiruvallur District, for which, the above declaration suit has been filed and it is in the stage of trial.

3. The complaint of the petitioner is that based on the complaint issued by the respondents 4 and 5, the respondent 2 and 3 have interfered with the civil dispute by directing them to come for a settlement by issuing summons. As the dispute is of a civil nature and it is pending before the Civil Court, the respondents 2 and 3 and their subordinates have no right to interfere with the same.

4. Heard the learned counsel for the petitioner, learned Additional Government Pleader appearing for the respondents 1 to 3 and the learned counsel appearing for the respondents 4 and 5 and perused the materials available on record.

5. The learned Additional Government Pleader appearing for the respondents 1 to 3 submitted that the respondents 1 to 3 will be instructed not to proceed further or interfere in the civil dispute, which is pending between the parties before the Civil Court.

6. Recording the said undertaking given by the learned Additional Government Pleader, the Writ Petition is disposed of. The petitioner and respondents 4 and 5 are directed to co-operate for early disposal of the civil suit. No costs.

Sd/-
Assistant Registrar(CS-III-MDU)

//True Copy//

Sub Assistant Registrar

srn

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To

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

2. The Deputy Superintendent of Police,
   Land Grabbing Cell,
   O/o, The Superintendent of Police,
   Tiruvallur 601 201.

3. The Inspector of Police,
   Land Grabbing Cell,
   O/o, The Superintendent of Police,
   Tiruvallur 601 201.

+1cc to M/s.R.Munusamy, Advocate SR.23824
+1cc to the Government Pleader SR.24093

W.P.No.27346 of 2012

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CB(17/06/2020)

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