

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No. 9455 of 2020
and W.M.P. No.11549 of 2020

K.K.Ravi

... Petitioner

Vs

Inspector of Police,
Kadambarai Police Station,
Valparai, Coimbatore District. Respondent

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent police not to interfere or prevent the petitioner's cultivation activities in his agricultural farm comprised in Survey No.1/3B situated at Thalanar, Aanaimalai Hills Village, Valparai Taluk, Coimbatore District.

For Petitioner : Mr.C.D.Sugumar

For Respondent : Mr.S.Karthikeyan,
Additional Public Prosecutor

O R D E R

This Writ Petition has been filed for a direction directing the respondent not to interfere or prevent the petitioner's cultivation activities in his agricultural farm comprised in Survey No.1/3B situated at Thalanar, Aanaimalai Hills Village, Valparai Taluk, Coimbatore District.

2. It is seen that there is a civil dispute between the petitioner and the counter party. As such, the petitioner has also filed a suit in O.S.No.64 of 2017 as against the counter party before the Sub-Court, Pollachi and it is pending for trial. While pending suit, the petitioner has lodged a complaint as against the counter party through his worker and the same was registered in Crime No. 14 of 2020 for the offence under Sections 294(b), 341 I.P.C. and 3 (1)(x) of SC/ST Act as against the counter party. Under these circumstances, the petitioner came forward with this petition for a direction to direct the respondent police not to interfere with the cultivation activities.

3. The learned Additional Public Prosecutor would submit that they are nothing to do with the civil dispute and in fact, on the complaint lodged by the petitioner, a F.I.R. has been registered in Crime No.14 of 2020 for the offence under Sections 294(b), 341 I.P.C. and 3 (1)(x) of SC/ST Act as against the counter party and the same is pending for investigation.

4. Considering the above submission made by the learned Additional Public Prosecutor, the respondent has no role to play in a civil dispute pending between the petitioner and the counter party in O.S.No.64 of 2017 on the file of Sub-Court, Pollachi. However, the respondent is at liberty to proceed with the criminal case registered as against the counter party in crime No.14 of 2020.

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

Sd/-

Assistant Registrar(CS-VI)

//True copy//

Sub Assistant Registrar

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To

1. Inspector of Police,
Kadambarai Police Station,
Valparai,
Coimbatore District.
2. The Public Prosecutor,
High Court of Madras, Chennai.
3. The Sub Court, Pollachi.

W.P. 9455 of 2020

VSN II(CO)
GMY(19/08/2020)