



S.F.No.226/3A2 absolutely belong to one M.S.Bazirakani and her husband Muhamed Sirajudeen. The petitioner's father had a land around the said survey number and M.S.Bazirakani and her husband had leased out the above referred land to the petitioner's father before 35 years. The said lease is existing as on date. After the demise of the petitioner's father, the petitioner has continued his agricultural activities till today. The lease entered between the petitioner's father and the said M.S.Bazirakani, is not terminated till now.

(ii) Before filing this petition, the National Highways Authority initiated a land acquisition proceedings in the disputed land and thereafter, the remaining extent was subdivided into S.F.No.228/3B, 226/2B and 226/3A2. The possession of the property by the petitioner was reflected in the Adangal extract. Since it has been so, without any notice and without terminating the lease, the family of the M.S.Bazirakani sold the above said land to the fourth respondent on 24.01.2020. The fifth respondent is the real estate broker residing in the same village and acted as broker for purchase of above said land to the fourth respondent. In the guise of sale deed, dated 24.01.2020, the fourth and fifth respondents without following due process of law, attempted to disturb the enjoyment of the petitioner and thereafter the petitioner had filed a suit in O.S.No.14 of 2020 on the file of the District Munsif Court, Thiruvaiyaru, against one M.S.Bazirakani and the fourth respondent and seeking the relief of injunction. The said suit was admitted on 03.02.2020 and thereafter, notice has also been issued to the defendants.

3.In the said circumstances, based on the complaint given by fourth and fifth respondents, the third respondent police was interfering with the dispute now pending between the petitioner and the fourth respondent and threatened to vacate the petition mentioned property.

Due to which, the petitioner filed an anticipatory bail application before this Court in CrI.O.P(MD) No.5931 of 2020, in which, anticipatory bail was granted. Subsequent to that, FIR in Crime No.737 of 2020 was registered on 09.06.2020 under Sections 448, 294 (b) and 506(ii) of I.P.C. Therefore, an order forbearing the third respondent from interfering with the civil dispute pending between the petitioner and the fourth respondent is necessary to safeguard the rights of the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondents 1 and 2, on instructions, would submit that in earlier based on the complaint given by the fifth respondent, enquiry was initiated by the third respondent in which both the petitioner and the respondents 4 and 5 arrived at the settlement in which they agreed to maintain the peace till the disposal of the suit i.e., O.S.No.14 of 2020.



5.The submission made by the learned Additional Public Prosecutor is recorded. The learned Additional Public Prosecutor undertakes to give necessary protection to the petitioner, if necessary.

6.In view of the undertaking given by the learned Additional Public Prosecutor, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Superintendent of Police,
Thanjavur District,
Thanjavur.
- 2.The Deputy Superintendent of Police,
Papanasam,
Thanjavur District.
- 3.The Inspector of Police,
Ayyampettai Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W.P. [MD]No.7574 of 2020

14.07.2020

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