



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **14.09.2020**

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

W.P.[MD]No.11523 of 2020

S.Morisan

... Petitioner

Vs.

1.The Commissioner of Police,
Trichy City, Trichy.

2.The Inspector of Police,
Airport Police Station, Trichy.

3.G.Selvam

4.N.Parthiban

5.Suresh

... Respondents

PRAYER:This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondents No.1 and 2 not to interfere with civil matter of possession and enjoyment of the petitioner's land situated at Survey No.184, Kottapattu Village, Trichy Town to the extent of 2 ½ cents vide his representation dated 19.08.2020.

For Petitioner : Mr.C.Mayilvahana Rajendran

For R-1 and R-2 : Mr.S.Chandrasekar
Additional Public Prosecutor

ORDER

The petitioner filed this writ petition praying for issuance of a writ of mandamus to direct the respondents 1 and 2 not to interfere with the civil dispute having by the petitioner with the respondents 3 to 5 and also not to interfere with the enjoyment of the petitioner's land situated at Survey No.184, Kottapattu Village, Trichy Town, to the extent of 2½ cents by considering his representation dated 19.08.2020.

2. Today, when the petition is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents 1 and 2, on instructions, would submit that upon the representation given by the petitioner dated 19.08.2020, the second respondent herein made an enquiry in C.No.84/K(II)/D2 PS/DRC/2020, dated 13.09.2020. During the time of enquiry, the respondents 3 to 5 have appeared before the second respondent and made an undertaking as



they were approached the Civil Court for resolving the dispute. After recording the same, the enquiry has been closed and as of now, no enquiry is pending against the petitioner.

3. Now considering the facts and circumstances of the case, though no enquiry is pending on the file of the second respondent, it is settled position that the police shall not interfere with the civil dispute having by the public. Since the second respondent himself admitted that the dispute having by the petitioner with the respondents 3 to 5 is civil in nature, he is directed not to interfere with the civil dispute between them.

4. In view of the above, it is open to the petitioner to approach the civil Court, if he is so advised. Nothing survives for further adjudication in this matter as on today. Hence, this Writ Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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 Commissioner of Police,
Trichy City, Trichy.
2. The Inspector of Police,
Airport Police Station, Trichy.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.C.MAYILVAHANA RAJENDRAN, Advocate (SR-17048[F] dated 16/09/2020)

W.P. [MD] No.11523 of 2020
14.09.2020

cp
SDS (28.09.2020) 2P-5C