



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.14380 of 2020

and

W.M.P. (MD)No.12023 of 2020

WEB COPY

Ramamoorthy

... Petitioner

Vs.

1. The Deputy Superintendant of Police,
Paramakudi Taluk,
Ramanathapuram District.

2. The Inspector of Police,
Chatrakudi Police Station,
Ramanathapuram District.

3. Devi Mahalakshmi

4. Govindan

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents from interfering with the petitioner's lawful possession while pending A.S.No.14 of 2020 on the file of the Sub Court, Paramakudi in O.S.No.2 of 2018 on the file of the District Munsif Court, Paramakudi in respect of Eastern side property (10 ½ cents) comprised in S.No.104/13A, Ettivayal Village, Paramakudi Taluk, Ramanathapuram District thereby amounting to interference in civil dispute on the basis of the complaint lodged by respondents 3 & 4.

For Petitioner : Mr.V.Murugan

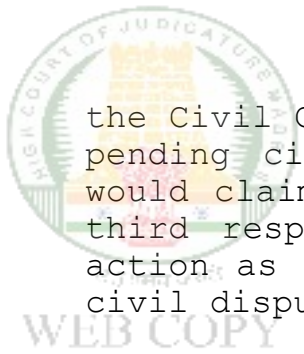
For Respondents : Mr.R.Srinivasan,

Government Advocate for R1 & R2.

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the first and second respondents.

2.The petitioner wants the respondent police not to interfere in the pending civil dispute. It is seen that O.S.No.2 of 2018 was filed before the District Munsif Court, Paramakudi. The petitioner is figuring as the fourth dependent. The said suit was dismissed on 28.07.2020. Questioning the same, the plaintiffs prepared A.S.No.14 of 2020 before the Sub Court, Paramakudi. The said appeal is still pending. Since the dispute between the parties are pending before



the Civil Court, the second respondent ought not to interfere in the pending civil dispute. However, the learned Government Advocate would claim that an FIR has been registered at the instance of the third respondent. It is open to the second respondent to take action as per law, but there is no question of interfering in the civil dispute.

3. With this direction to the second respondent, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// 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 Deputy Superintendant of Police,
Paramakudi Taluk,
Ramanathapuram District.
2. The Inspector of Police,
Chatrakudi Police Station,
Ramanathapuram District.

+1 CC to M/s.V. MURUGAN, Advocate SR-20327.

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