



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 15/10/2020

PRESENT

The Hon'ble Mr.Justice **G.K.ILANTHIRAIYAN**

W.P.(MD)No.8283 of 2016

and

W.M.P.(MD)No.6711 of 2016

K.Innasimuthu

: Petitioner

Vs.

1.The Superintendent of Police,
K.Pudur, Surveyor Colony,
Madurai - 625 0070.

2.The Inspector of Police,
Koodakovil Police Station,
Koodakovil,
Madurai District.

3.Sadachiammal

: Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the 1st and 2nd respondents from interfering into the civil dispute between the petitioner and the 3rd respondent with regard to civil suit in O.S.No.2/2010 on the file of the District Munsif Court, Tirumangalam.

For Petitioner : Mr.S.Karthick Subramanian

For R1 & R2 : Mr.K.R.Bharathi Kannan

Government Advocate (Crl. Side)

For R3 : Mr.A.Sivasubramanian

O R D E R

This Writ Petition has been filed seeking direction to direct the first and second respondents not to interfere with the civil dispute pending between the petitioner and the third respondent with regard to civil suit in O.S.No.2/2010 on the file of the District Munsif Court, Tirumangalam.

2.It is seen that the petitioner owned property comprised in S.F.No.6/9 situated at Thirumal Village, Thirumangalam Taluk, which was purchased from one Alagarsamy Naicker in the year 1949. When the petitioner started construction of her house, the third respondent has filed a suit in O.S.No.2 of 2010 for injunction against the petitioner herein. When the said suit was pending, the third respondent has lodged a complaint before the second respondent. On receipt of the same, the second respondent has registered the case in Crime No.207 of 2015. Now the first and



second respondents are compelling the petitioner to stop the construction since the civil suit is pending.

3.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that the first and second respondents never interfere with the civil suit pending between the petitioner and the third respondent. In pursuant to the suit filed by the third respondent in O.S.No.2 of 2010, in fact on the complaint lodged by the third respondent, the second respondent has registered the case in Crime No.207 of 2015 as against the petitioner herein. Due to which, there is an interference by the first and second respondents herein.

4.Recording the said submission made by the learned Government Advocate (Crl.side), the first and second respondents are directed not to interfere with the civil dispute between the petitioner and the third respondent except the FIR registered in Crime No.207 of 2015.

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

Sd/-

Assistant Registrar (P & A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsd

To

1.The Superintendent of Police,
K.Pudur, Surveyor Colony,
Madurai - 625 0070.

2.The Inspector of Police,
Koodakovil Police Station,
Koodakovil,
Madurai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W.P. (MD)No.8283 of 2016
and

W.M.P. (MD)No.6711 of 2016
15.10.2020

SJ(CO)

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