



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2021

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. No. 18720 of 2021

and

W.M.P. Nos. 19988 & 19989 of 2021

1. Mariammal
2. Usha
3. K.Sundar
4. J.Pavendan

.. Petitioners

Versus

1. The Superintendent of Police
Chengalpattu District
Chengalpattu
2. The Inspector of Police
District Crime Branch (DCB)
Chengalpattu
Chengalpattu District
3. The Inspector of Police
E-8, Kelambakkam Police Station
Kelambakkam
Chengalpattu
4. J. Munusamy

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus forbearing the respondents 1 to 3 from interfering with the civil disputes pending between the petitioners and 4th respondent in respect of property in S. Nos. 1425/2 and 1429/3D, to an extent of 1-09-00 Hectares, situated at Thaiyur Village, Thiruporur Taluk, Chengalpet District

For Petitioners : Mr. M.R. Jothimanian

For Respondents : G. Krishnaraja
Government Counsel (For R1-R3)



O R D E R

The present writ petition has been filed seeking to issue a Writ of Mandamus to forbear the respondents 1 to 3 from interfering with the civil disputes pending between the petitioners and 4th respondent in respect of property in S. Nos. 1425/2 and 1429/3D, to an extent of 1-09-00 Hectares, situated at Thaiyur Village, Thiruporur Taluk, Chengalpet District.

2. According to the petitioners, they are the absolute owners of the property in S. Nos. 1425/2 and 1429/3D, to an extent of 1-09-00 Hectares, situated at Thaiyur Village, Thiruporur Taluk, Chengalpet District. While so, the fourth respondent with a malafide intention to usurp their property had given a complaint to the first respondent. Pursuant to the complaint, the petitioners filed a suit in O.S. No. 8 of 2021 and the same is pending before the District Munsif. In spite of the pendency of the civil suit, the second respondent personally insisting the petitioners to execute a sale deed in favour of the fourth respondent in respect of the property, which is the subject matter of the suit in O.S. No. 8 of 2021. Aggrieved by the action of the second respondent, the petitioners submitted a representation on 29.08.2021 to the Director General of Police, Tamil Nadu and thereafter, filed the present Writ Petition before this court.

3. The learned Government Counsel filed a status report wherein, it is reported as follows:

"5. I respectfully submit that the respondents are not aware about the Civil Court proceedings pending for the same subject matter. The petitioners have not produced the same to the official respondents. Had the respondents 1 to 3 known about the Civil Court proceedings, they wouldn't have ventured to enquire the same. Only from the petitioners typed set of papers, this respondent is aware about the Civil Court proceedings.

6. I humbly submit that the respondents No.1 to 3 undertakes that having knowledge about the civil disputes, this respondents will never interfere with the same."

4. Heard the counsel for the petitioner as well as the learned Government Counsel appearing for the respondents.

5. In view of the above categorical statement made by the respondents 1 to 3 in the status report, mentioned above, this Court is of view that no further order is required to be passed



in the present writ petition. It is open to the petitioners to proceed with the civil suit filed by them against the fourth respondent to get redressal.

6. With the above said direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

dhk/rsh

To

- 1.The Superintendent of Police,
Chengalpattu District,
Chengalpattu.
- 2.The Inspector of Police,
District Crime Branch (DCB),
Chengalpattu,
Chengalpattu District.
- 3.The Inspector of Police,
E-8, Kelambakkam Police Station,
Kelambakkam,
Chengalpattu.

+1cc to M/s.M.R.Jothimanian, Advocate Sr No.46573
+1cc to the Government Pleader Sr No.47222

WP No. 18720 of 2021

AD (CO)
PR (18/10/2021)