



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2021

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THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.27803 of 2021 and
W.M.P.No.29369 of 2021

V.Shanmugam

... Petitioner

Versus

1.The Superintendent of Police,
District Police Office Head Quarters,
Krishnagiri.

2.The Inspector of Police,
Kaveripattinam Police Station,
Kaveripattinam.

3.Bama Balaji

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or order or direction in the nature of writ forbearing the respondents, their subordinates, men, agents, servants or any one on their behalf from threatening, harassing and coercing the petitioner to withdraw the complaints made against the respondents 2 and 3.

For Petitioner : Dr.S.S.Swaminathan

For R1 & R2 : Mr.E.Raj Thilak,
Additional Public Prosecutor

ORDER

This Writ Petition has been filed to forbear the respondents, their subordinates, men, agents, servants or any one on their behalf from threatening, harassing and coercing the petitioner to withdraw the complaints made against the respondents 2 and 3.

2.The learned counsel for the petitioner submitted that the 3rd respondent had approached this Court in CrI.O.P.No.15239 of



2021 and obtained an order to survey the property situated in survey Nos.59 & 60/1, Errahalli Village, Kaveripattinam Taluk, Krishnagiri District. The petitioner though shown as respondent in that petition, no notice was served to him. This Court, by order, dated 07.10.2021 in CrI.O.P.No.15239 of 2021, has given limited direction to the 3rd respondent therein to produce revenue records and other documents to conduct survey and earmark the property and nothing more. Now, the 3rd respondent using the order of this Court, dated 07.10.2021, is attempting to dispossess the petitioner from the property.

3.The learned Additional Public Prosecutor takes notice for the respondents 1 and 2.

4.Considering the submissions of the learned counsel for the petitioner, this Court directs the learned Additional Public Prosecutor to instruct the respondents 1 and 2 not to interfere in the civil dispute between the petitioner and the 3rd respondent.

5.With the above directions, this Writ Petition is disposed of. No costs. It is made clear that the earlier order, dated 07.10.2021 in CrI.O.P.No.15239 of 2021 was passed for the purpose of survey and earmark the boundaries of the property in dispute and nothing more. Consequently, the connected Miscellaneous Petition is closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

vv2

To

1.The Superintendent of Police,
District Police Office Head Quarters,
Krishnagiri.

2.The Inspector of Police,
Kaveripattinam Police Station,
Kaveripattinam.



3.The Public Prosecutor,
High Court, Madras.

+1cc to M/s.S.S.Swaminathan, Advocate Sr.69880

W.P.No.27803 of 2021

ksm[co]
srg 10/01/2022