



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.10668 of 2021

and

W.M.P. (MD) No.8304 of 2021

WEB COPY

S.Murugaiyan

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Karur, Karur District.

2.The Inspector of Police,
Thanthonimalai Police Station,
Karur District.

3.N.Revathi

4.K.Manimaran

5.M.Lakshmanan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 and 2 to provide adequate police protection to the petitioner on the representation of the petitioner dated 17.06.2021 inlight of the order passed in I.A.No.2 of 2020 in O.S.No.50 of 2020 on the file of the District Munsif, Karur.

For Petitioner : Mr.S.Ramsundarvijayraj

For Respondents : Mr.T.Senthil Kumar,

Addl. Public Prosecutor for R1 & R2.

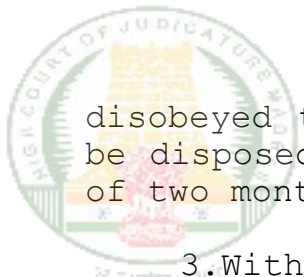
Mr.B.Prasanna Vinoth for R3, R5

Mr.R.Kavin Prasath for R4

ORDER

This writ petition has been filed seeking police protection.

2.The petitioner has obtained an interim order in his favour in I.A.No.2 of 2020 in O.S.No.50 of 2020. But then, the third respondent has filed an independent suit in O.S.No.50 of 2020 before the District Munsif Court, Karur. It is stated that the suit filed by the petitioner as well as the suit filed by the third respondent are being tried together. The petitioner's grievance is that the interim order granted in his favour is being breached by the private respondents. If that be so, Civil Procedure Code provides remedy. The petitioner has to necessarily resort to the same. Filing of the writ petition appears to be rather misconceived. If the petitioner files a petition for punishing the persons, who have



disobeyed the injunction granted by the Civil Court, the same will be disposed of on merits and in accordance with law within a period of two months thereafter.

3. With this direction to the jurisdictional Civil Court, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

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 District Munsif,
Karur.
2. The Superintendent of Police,
Office of the Superintendent of Police,
Karur, Karur District.
3. The Inspector of Police,
Thanthonimalai Police Station,
Karur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.RAMSUNDARVIJAYRAJ, Advocate (SR-36830[F] dated 01/12/2021)

+1 CC to M/s.B.PRASANNA VINOTH, Advocate (SR-36872[F] dated 01/12/2021)

W.P (MD) No.10668 of 2021
30.11.2021

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