



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.20434 of 2021

S.Muthaiah @ Muthaiah Thevar

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli,
Tirunelveli District.

2.The Inspector of Police,
District Crime Branch,
Tirunelveli District.

3.Krishnammal

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the second respondent from interfering in the civil dispute between the petitioner and the third respondent and also forbearing to insist the petitioner to cancel the registered power of attorney deed dated 27.07.2021 by way of conducting Kattapanchayat based on his representation dated 08.11.2021.

For Petitioner : Mr.C.Susi Kumar
For R-1 & R-2 : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

* * *

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for respondents 1 and 2.

2. Considering the nature of relief to be granted, issuance of notice to the third respondent is dispensed with.

3. The third respondent has given a complaint against the petitioner. There is a civil dispute between the petitioner and the third respondent and that therefore, the respondent police should be restrained from interfering with the same. Be that as it may, in the interest of justice, the following directions are issued:-

"(a) The second respondent will issue written summons to the petitioner for causing his appearance before him for enquiry. There is no question of orally summoning the



petitioner to the police station.

(b) The second respondent will conclude the enquiry within a period of three weeks from the date of receipt of a copy of this order.

(c) If at the end of the enquiry, cognizable offence is made out and the second respondent proposes to register any FIR, the petitioner will be given notice of the same so that the petitioner will have breathing time to move the concerned Court for the relief of anticipatory bail."

4. With these directions, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

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 Superintendent of Police,
Tirunelveli,
Tirunelveli District.
- 2.The Inspector of Police,
District Crime Branch,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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AR (CO)

GC/NS (25.11.2021) 2P 4C