



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2021

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 21281 of 2021

A. Abdul Azeem

... Petitioner

Vs.

1. The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2. The Deputy Commissioner of Police (L&O),
Tirunelveli City,
Tirunelveli District.

3. The Assistant Commissioner of Police,
Melapalayam Zone,
Tirunelveli District.

4. The Inspector of Police,
Melapalayam police station,
Tirunelveli.

5. D. Ramesh,
S/o. Desikan,
Through his Power Agent,
Syed Masood Diwan Ali.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing respondents 2 to 4 not to interfere with the civil dispute between the petitioner and the fifth respondent in respect of the land in S.No.560/1, Keezha Veeraraghavapuram Village, Palayamkottai Taluk, Tirunelveli, which is pending in O.S. No.566 of 2014 on the file of the District Munsif, Tirunelveli.

For Petitioner : Mr. H. Arumugam

For R-1 to R-4 : 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 to 4.

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



3. The petitioner alleges that in a purely civil matter, the respondent police are unnecessarily interfering, without any legal justification. To forbear the respondent police from doing so, this writ petition has been filed.

4. When the matter was taken up for hearing, the learned Additional Public Prosecutor appearing for the respondent on instructions submitted that a complaint was received by the third respondent and that he had decided to refer the matter to the jurisdictional executive Magistrate for taking action under Section 145 of Cr.P.C. The respondent police have no intention to interfere in the civil dispute between the petitioner and the fifth respondent.

5. Recording the said submission and leaving open the rights and remedies of the petitioner, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AS)

// 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 Commissioner of Police,
Tirunelveli City, Tirunelveli.
2. The Deputy Commissioner of Police(L&O),
Tirunelveli City, Tirunelveli District.
3. The Assistant Commissioner of Police,
Melapalayam Zone, Tirunelveli District.
4. The Inspector of Police,
Melapalayam police station, Tirunelveli.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
6. District Munsif, Tirunelveli.

W.P. (MD) No. 21281 of 2021

01.12.2021

MGJ(15.12.2021) 2P 6C

<https://hcservices.ecourts.gov.in/hcservices/>