



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.1957 of 2022

and

WMP.No.2115 of 2022

M/s.Safvolt Switchgears Private Limited.,
No.7/174, Vellanaipatti Village,
Kalapatti Via, Annur Taluk,
Coimbatore District.
Rep. by its Managing Director,
V.Vijayakumar,
S/o.Ganapathiappan

...Petitioner

Versus

1. The Superintendent of Police,
Tiruppur District,
Tiruppur.
2. The Deputy Superintendent of Police,
Udumalpet, Tiruppur District.
3. The Inspector of Police,
Amaravathi Police Station,
Udumalpet Taluk,
Tiruppur District.
4. V.Vasanthakumar
5. V.Venkatapathy

...Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, forbearing the respondents from interfering with the peaceful possession and enjoyment of the property comprised in S.F.No.521/1 and 521/3 Andiyagoundanur - 2 Village, Udumalpet Taluk, Tiruppur District to an extent of 41 acres in total, covered by the Orders of Civil Court in O.S.No.188 of 2004 dated 27.10.2010 on the file of the District Munsif Court, Udumalpet, in consideration of representation submitted by the petitioner.

For Petitioner : Mr.P.Wilson Senior Counsel for
Mr.G.Sankaran

For R1 to R3 : Mr.E.Raj Thilak
Additional Public Prosecutor



O R D E R

This Writ Petition is filed forbearing the respondents from interfering with the peaceful possession and enjoyment of the property comprised in S.F.No.521/1 and 521/3 Andiyagoundanur - 2 Village, Udumalpet Taluk, Tiruppur District to an extent of 41 acres in total, covered by the Orders of Civil Court in O.S.No.188 of 2004 dated 27.10.2010 on the file of the District Munsif Court, Udumalpet, in consideration of representation submitted by the petitioner.

2.The petitioner is the Managing Director of M/s.Safvolt Switchgears Private Limited lodged a complaint to the first respondent on 23.01.2022. In the complaint it is stated that the petitioner's company purchased properties situated at S.F.No.521/1 (9 acres) and 521/3 (32 acres), Andiyagoundanur-2 Village, Udumalpet Taluk, Tiruppur District in total to an extent of 41 acres from the original land owners, by way of registered sale deed vide Document No.131/2022 dated 05.01.2022 registered in Sub Registrar Office, Udumalpet Taluk, Tiruppur District. Title over the property is derived by a partition deed in Document No.2883 of 1998 dated 21.11.1998. Initially, the property was allotted to one Rukmani Ammal. After her life time, the said property was settled in favour of her three daughters viz., Muthammal, Neelavathi and Krishnaveni. Through family settlement arrangement Muchalika dated 13.10.1999, the property was settled in favour of her daughters, each entitled to 1/3rd share. In Muchalika the Rukmani Ammal and her sons shown as executant and witnesses.

3.He further submits that one of the daughter Rukmani Ammal viz., Krishnaveni had filed a civil suit in O.S.No.188 of 2004 before the District Munsif Court, Udumalpet seeking for the larger relief for coparcenary rights of the entire extent of properties of 116 acres covered by the partition deed of the year 1988, whereas the District Munsif Court, Udumalpet dismissed the same and confirmed that all the three daughters are having 1/3rd share over the property. Subsequently, the two daughters viz., Muthammal and Neelavathi had settled their shares in favour of Krishnaveni vide Document No.7221 of 2021 dated 26.07.2021. Thereby the said Krishnaveni has become the absolute owner of the property with the entire share. Thereafter Krishnaveni had settled the property in favour of her husband V.Radhakrishnan vide Document No.7531 of 2021 dated 16.08.2021. The said RadhaKrishnan is the vendor of the petitioner's company and the petitioner company had entered into a sale agreement for purchase of land in S.F.No.521/1 and 521/3 to an extent of 41 acres and the same was duly registered in Document No.13613 of 2021 dated 13.10.2021. Thereafter the petitioner had purchased the said land through registered sale



१२.५ : प्रमेय ५२८

7. He further submits that the respondent police are well aware of their duties and responsibilities and they also aware that they have no right to involve themselves in the civil dispute unless it is the direction by this Court or direction from any competent court. In this case, there is no such Court orders directing the respondent police. He further confirms that the respondent police never visited petitioner factory,



caused any disturbance and annoyed the officials of the petitioner's company. Unless there is a law and order issue, police will not interfere with the civil dispute. He further confirms the respondent police not involved themselves in any civil dispute, especially in the petitioner's property.

8. Recording the submissions of the learned Additional Public Prosecutor, this Writ Petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition stands closed.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

ah

To

1. The Superintendent of Police,
Tiruppur District,
Tiruppur.
2. The Deputy Superintendent of Police,
Udumalpet, Tiruppur District.
3. The Inspector of Police,
Amaravathi Police Station,
Udumalpet Taluk, Tiruppur District.
4. The District Munsif,
Udumalpet, Tiruppur District.
5. The Public Prosecutor,
High Court, Madras.

+2cc to Mr.G.Sankaran, Advocate, S.R.No.7197, 7064

W.P.No.1957 of 2022
and
WMP.No.2115 of 2022

NRL (CO)
RGA(11/02/2022)