



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P. No.16473 of 2022
and W.M.P.Nos.15755 & 15758 of 2022

Harivarasan Srinivasan

.. Petitioner

Versus

1.The Superintendent of Police
Coimbatore District

2.The Deputy Superintendent of Police
Pollachi, Coimbatore District

3.The Inspector of Police,
Gomangalam Police Station
Coimbatore District

.. Respondents

PRAYER: Petition filed Article 226 of the Constitution of India seeking for issuance of Writ of Mandamus, forbearing the respondents from interfering with the functioning/activities of the firm M/s.Harrybhai Stud Farm LLP situated at S.F.No.4647, Unjavelampatti Village, Udumalai Road, Pollachi Taluk.

For Petitioner : Mr.I.Abrar Mohamed Abdullah

For Respondent : Mr.A.Gokula Krishnan for R1 to R3
Additional Public Prosecutor

O R D E R

This Writ Petition has been filed to forbear the respondents from interfering with the functioning/activities of the firm M/s.Harrybhai Stud Farm LLP situated at S.F.No.4647, Unjavelampatti Village, Udumalai Road, Pollachi Taluk.

2. According to the petitioner, he is one of the partner with M/s.Harrybhai Stud Farm LLP engaged in the business of animal husbandry. While so, the other partners namely Mr.Haridas Kondath and Mr.Unniakrishnan had forcibly abducted one of the Horses and also threatened him. Hence, he filed a suit in OS.No.225 of 2022 before the District Munsif Court, Pollachi seeking permanent injunction against the aforesaid partners.



Further, he had also sent an email communication to the first and second respondent on 23.06.2022 requesting not to interfere with the dispute as the same is a civil dispute. However, the respondents upon instigation had threatened the petitioner. Hence, this petition seeking non interference of the respondent police into the functioning/activities of the LLP firm.

3. Mr.I.Abrar Mohamed Abdullah, learned counsel for the petitioner submitted that the firm is in the business of animal husbandry and there are 13 horses. Further, there is an internal dispute between the partners. Even though, the petitioner has sent a representation to the first and second respondent not to interfere with the civil dispute between the parties citing the pending suit before the Civil Court, the respondents had entered illegally and threatened the petitioner with dire consequences.

4. The learned Additional Public Prosecutor denying the allegations levelled against the the respondent police submitted that the police will not interfere into the matter of civil dispute between the parties.

5. In such view of the statement made by the learned Additional Public Prosecutor, no further order is required and it is made clear that in civil dispute, the police shall not interfere except in law and order issue.

6. With the above observation, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-II)

//True copy//

Sub Assistant Registrar

dhk

To

- 1.The Superintendent of Police
Coimbatore District.
- 2.The Deputy Superintendent of Police
Pollachi, Coimbatore District.
- 3.The Inspector of Police,
Gomangalam Police Station
Coimbatore District.



4.The Public Prosecutor,
High Court of Madras.

Copy To

The District Munsif Court,
Pollachi.

+1cc to Mr.I.Abrar Mohamed Abdullah, Advocate SR.No.40798

W.P.No.16473 of 2022

SKM(CO)
GMY(08/07/2022)