



W.P. No.22338 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 14.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE **N. SATHISH KUMAR**

W.P. No.22338 of 2014 and
M.P. No.1 of 2014

N.A.Palanivel

. . . Petitioner

Vs

1.The Inspector of Police
Kangeyam Police Station
Kangeyam
Tiruppur District.

2.Tmt.Valliyathal

. . . Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India for a writ of mandamus, forbearing the 1st respondent from interfering with petitioner's peaceful possession and enjoyment of land bearing S. No.858/A, in R.S. No.1395/1 and 1395/2, situated at Sivanmalai Village, Kangeyam Taluk, Tiruppur District.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.P.Sathish, AGP for R1



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ORDER

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This writ petition has been filed for a writ of mandamus, forbearing the 1st respondent from interfering with petitioner's peaceful possession and enjoyment of the land in S. No.858/A, in R.S. No.1395/1 and 1395/2, situated at Sivanmalai Village, Kangeyam Taluk, Tiruppur District.

2. It is the case of the writ petitioner that he purchased 50 cents of land in S. No.858/A in R.S. Nos.1395/1 and 1395/2 in Sivanmalai Village, Kangeyam Taluk, Tiruppur District, from his maternal uncle. It is the further case of the petitioner that the second respondent, with the help of the first respondent, frequently interfering with his land. Therefore, the above writ petition has been filed.

3. A counter has been filed to the effect that the first respondent never interfered with the possession of the property and in fact, the petitioner himself has given in writing on 15.02.2020 that there is no interference from Kangeyam police. When this court posed a question to the learned counsel for the petitioner, as to whether any interference is being done now, the learned counsel would submit that the cause of action arose in the year 2014 and there is no interference



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now. It is further stated by the learned counsel for the petitioner that a civil suit is also pending. In such view of the matter, no further order is required in this writ petition. Let the civil court decide the dispute between the petitioner and the second respondent.

4. With the above observation, the writ petition is disposed of. However, there is no order as to costs. Consequently, the connected writ miscellaneous petition is closed.

14.10.2022

Index : Yes / No
Speaking/non speaking order
Asr

To

1.The Inspector of Police
Kangeyam Police Station
Kangeyam
Tiruppur District.

2.The Government Pleader,
High Court, Madras.



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N. SATHISH KUMAR, J.

Asr

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