



W.P.No.31780 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2022

CORAM :

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

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Mathan

... Petitioner

Vs

1.The Superintendent of Police
Office of the Superintendent of Police
Krishnagiri District
Krishnagiri.

2.The Inspector of Police
Pochampalli Police Station
Pochampalli
Krishnagiri District.

3.Periyasamy

4.Kanagaraj

5.Govindaraj

6.Shanmugam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Mandamus, directing the 2nd respondent not to interfere into the civil dispute in respect of the properties situated in Survey No.591/1A, 569/1A, 570/2, 570/3, 571/2, Kadappasandampatti Village, Pochampalli Taluk, Krishnagiri District, as the original suit in O.S



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No.111/2018 is pending before the District Munsif-cum-Judicial Magistrate Court, Pchampalli and further to direct the 2nd respondent not to precipitate any coercive action against the petitioner and his family in the pretext of enquiry.

For Petitioner : Mr.P.G.Thiyagu

For Respondents : Mr.S.Santhosh for R1 & R2
Government Advocate (Crl.side)

ORDER

The Writ Petition has been filed, seeking to issue a Writ of Mandamus for directing the 2nd respondent not to interfere in the civil dispute in respect of the properties situated in Survey No.591/1A, 569/1A, 570/2, 570/3, 571/2, Kadappasandampatti Village, Pochampalli Taluk, Krishnagiri District, since the original suit in O.S No.111/2018 is pending before the District Munsif-cum-Judicial Magistrate Court, Pchampalli and further for directing the 2nd respondent not to precipitate any coercive action against the petitioner and his family in the pretext of enquiry.



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2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents 1 & 2.

3. The learned counsel for the petitioner submitted that the 2nd respondent is interfering in a civil dispute between the petitioner and the private respondents unnecessarily; hence, a direction has to be given to the 2nd respondent not to interfere in the civil dispute pertaining to the property situated at Survey No.591/1A, 569/1A, 570/2, 570/3, 571/2, Kadappasandampatti Village, Pochampalli Taluk, Krishnagiri District which are subject matter of O.S.No.111 of 2018 pending on the file of the District Munsif cum Judicial Magistrate, Pochampalli.

4. The grievance of the petitioner is that despite a civil suit is pending with regard to the entitlement of the above said properties, the 2nd respondent is interfering and harassing the petitioner every now and then in the name of enquiry.

5. The learned Government Advocate (Crl. Side) submitted that on



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the representation given by the petitioner dated 03.11.2022, a current paper enquiry has been initiated in C.No.H2/1597/1292/2022 and the same has been transferred to Mathur Police Station on the point of jurisdiction.

6. Since no relief is sought against the private respondents, notice is dispensed against the respondents 3 to 6.

7. Now the matter is pending with the Mathur Police Station. Hence, the Inspector of Police, Mathur Police Station is directed to expedite the enquiry in C.No. H2/1597/1292/2022 and complete the same within a period of four weeks from the date of receipt of a copy of this order. If the enquiry reveals that the matter is civil in nature, which is the subject matter of the suit which is already pending in the civil court, the Investigating Officer shall do the needful in accordance with law.

8. With the above direction, this Writ Petition is disposed of. No costs.



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Index : Yes/ No
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To

- 1.The Superintendent of Police
Office of the Superintendent of Police
Krishnagiri District
Krishnagiri.
- 2.The Inspector of Police
Pochampalli Police Station
Pochampalli
Krishnagiri District.
- 3.The Public Prosecutor
High Court of Madras.

R.MANJULA, J



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