



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.01.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.629 of 2022

Pitchai

... Petitioner

Vs.

- 1.The Superintendent of Police,
Sivagangai District.
- 2.The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.
- 3.The Tahsildar,
Thiruppuvanam Taluk,
Sivagangai District.
- 4.The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
- 5.The Head Surveyor,
Thiruppuvanam Taluk,
Sivagangai District.
- 6.R.B.Vimala
- 7.Santhamoorthi
- 8.Jeyanthi
- 9.T.V.Balasubramaniam
- 10.T.V.Anandmoorthi
- 11.Babulal

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 3rd to 5th respondents not to interfere the civil dispute in O.S.No.59 of 2020 on the file of the District Munsif Court, Thiruppuvanam, Sivagangai District.

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



For Petitioner :Mr.R.Udhayakumar

For Respondents :Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side) for R1 to R5.

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ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents 1 to 5.

2.The petitioner wants this Court to restrain the respondent police from interfering in the pending civil dispute which the petitioner is having with the private respondents herein.

3.The learned counsel for the petitioner would state that the petitioner has already filed O.S.No.59 of 2020 before the District Munsif Court, Thiruppuvanam, Sivagangai District against the private respondents herein. It is for the petitioner to pursue the civil remedy. I wanted to know if the petitioner is having any title document in respect of the subject property. The petitioner's counsel states that the petitioner is an agriculturist and he is occupying the said property for the last several decades as a tenant. If that be so, his name should have been entered in the record of tenancy. No such entry has been produced before me. Since the petitioner has not produced even a scrap of paper in support of his claim, I am not in a position to issue any mandamus as sought for. However, I make it clear that I have not gone into the merits of the matter and the dismissal of this writ petition will not have any bearing on the outcome of O.S.No.59 of 2020 filed by the petitioner herein.

With this observation, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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.

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To:

- 1.The Superintendent of Police,
Sivagangai District.
- 2.The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.
- 3.The Tahsildar,
Thiruppuvanam Taluk,
Sivagangai District.
- 4.The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
- 5.The Head Surveyor,
Thiruppuvanam Taluk,
Sivagangai District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W.P (MD) No.629 of 2022
19.01.2022

RK(11/02/2022) 3P 7C