

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **12.09.2022**

CORAM

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

W.P.(MD)No.17734 of 2013

and

M.P.(MD)No.1 of 2013

K.Pandi

... Petitioner

/Vs./

1.The Superintendent of Police,
District Police Officer,
Madurai Rural.

2.The Inspector of Police,
Alanganallur Police Station,
Madurai Rural.

3.Pothum Ponnu @ Naliammal

4.Chandra

5.Dhanam

6.Parameswari

... Respondents

PRAYER:- Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 and 2 to give adequate protection to writ petitioner to enjoy in S.No.14/1B2, 14/SaB, 14/5 in pannakudi village, Mettur Vadipatti Taluk, Madurai District, based on the representation dated 04.08.2013 subsequently direct the 3rd to 6th respondents

not to interfere the petitioner's enjoyment in suit property as per decree in OS 286/08 dated 29.07.09 on the file of Vadipatti District Munsif Court, Madurai District.

For Petitioner : Mr.R.Satish
For R1 & R2 : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor.
For R3 to R6 : Mr.V.Manikandan

ORDER

This writ petition was filed for issuance of Writ of Mandamus directing the respondents 1 and 2 not to interfere with the civil dispute between the petitioner and the respondents 3 to 6 with respect to the subject property.

2.It is seen from the records that there is already a decree passed in a civil suit in favour of the petitioner in O.S.No.286 of 2008, dated 29.07.2009.

3.In view of the above, there is no scope for the respondent police to interfere with such a dispute. If at all the parties are aggrieved by the same, they can only workout their remedy before the competent civil Court and they cannot use the police machinery to interfere with possession and enjoyment of

the property. This Writ Petition is allowed accordingly. No costs.
Consequently, connected Miscellaneous Petition is closed.

12.09.2022

Internet :Yes/No
Index :Yes/No
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To:

- 1.The Superintendent of Police,
District Police Officer,
Madurai Rural.
- 2.The Inspector of Police,
Alanganallur Police Station,
Madurai Rural.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

N.ANAND VENKATESH, J.

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Order made in
W.P.(MD)No.17734 of 2013

Dated:
12.09.2022