



WEB COPY

W.P(MD)No.800 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :20.01.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.800 of 2022

and

W.M.P.(MD)No.649 of 2022

K.Gnanathangam

... Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2.The Deputy Superintendent of Police,
Thucklay,
Kanyakumari District.

3.The Sub Inspector of Police,
Thucklay Police Station,
Thucklay,
Kanyakumari District.

4.K.Mani

5.D.T.Ritto Grigar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to forbear the respondents 2 and 3 in interfering in the issue between the petitioner and the 4th respondent with regard to the cancelation of the settlement deed as executed on 04.02.2021 by the 4th respondent in favour of the petitioner in respect of the house and vacant site bearing Survey No.82/2E5A, Thucklay Village, Kalkulam Taluk, Kanyakumari District by the petitioner forthwith.

For Petitioner : Mr.S.Palani Velayutham

For Respondents : Mr.B.Thanga Aravindh,
Govt. Advocate (Crl. Side) for R1 to R3.

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents 1 to 3. Considering the nature of relief to be granted, issuance of notice to the respondents 4 and 5 is dispensed with.



2.The petitioner alleges that the third respondent is interfering in the civil dispute pending between the petitioner on the one hand and the private respondents on the other.

3.Taking note of overall facts and circumstances, the following directions are issued:-

(i) The petitioner will be summoned only by way of written summon. There is no question of orally summoning the petitioner.

(ii) The respondent police will conclude the enquiry on merits and in accordance with law within a period of two weeks after the appearance of the petitioner.

(iii) If the matter is purely civil in nature, the respondent police will close the complaint.

(iv) If cognizable offence is made out and if the respondent police proposes to register any FIR, the petitioner will be given due notice. So that the petitioner will have breathing time to move the concerned Court for the relief of anticipatory bail.

4.The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

// 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.

To:

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2.The Deputy Superintendent of Police,
Thucklay,
Kanyakumari District.

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



3.The Sub Inspector of Police,
Thucklay Police Station,
Thucklay,
Kanyakumari District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W.P (MD) No.800 of 2022
20.01.2022

MGJ(01.02.2022) 3P 5C