

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :12.09.2022

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

**W.P.(MD)No.8643 of 2013
and M.P(MD).No.1 of 2013**

S.Mohamed Abdullah Sait

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by the Home Secretary,
Government of Tamil Nadu,
Fort St.George,
Chennai-600 009.

2.Balakrishnan
The Superintendent of Police,
Madurai-Rural,
Madurai-625 007.

3.Balamurugan
The Inspector of Police,
Karupayoorani Police Station,
Madurai-625 020.

4.Ravi
The Special Sub-Inspector of Police,

Silaiman, Police Station,
Madurai-625 201.

5.Senthil Kumar,
Police Constable,
Silaiman Police Station,
Madurai-625 201.

6.T.M.V.N.Sahasranamam

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 2 to 5 not to enter and evict the petitioner by force or any illegal means or method from the land as cultivating tenant consisting of 2.42 hectare in Survey No. 3/2 in patta No.80 in Silaiman Village, Madurai except by way of due process of law and not to threaten him by force of all means to withdraw his Appeals A.S.No.1 of 2013, A.S.No.2 of 2013 and A.S.No.3 of 2013 pending on the file of the District and Sessions Court, Madurai against the orders of the III Additional Sub-Court, Madurai and consequentially direct the respondent No.1 to conduct an enquiry and initiate necessary action against the respondents 2 to 5 in accordance with law.

For Petitioner : Mr.Rupert J.Barnabas

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor
for R1
Mr.M.Rajaraman for R6

ORDER

This Writ Petition was filed for the issue of writ of Mandamus directing the respondent Police not to interfere with the possession and enjoyment of the petitioner in the subject property, more particularly, since the civil litigation was pending between the petitioner and the sixth respondent.

2. When the matter was taken up for hearing, the learned Additional Public Prosecutor, on instructions, submitted that the petitioner succeeded right through and the second appeals that were filed by the sixth respondent in S.A(MD).Nos.836 to 838 of 2013, came to be dismissed by a common judgment dated 22.04.2016. In view of the same, the learned Additional Public Prosecutor submitted that the respondent Police will not interfere with the civil dispute between the parties.

3. Recording the submission made by the learned Additional Public Prosecutor, this Writ Petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

12.09.2022

Index : Yes / No
Speaking Order : Yes / No
ssb

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- 2.The Superintendent of Police,
Madurai-Rural,
Madurai-625 007.
- 3.The Inspector of Police,
Karupayoorani Police Station,
Madurai-625 020.

4.The Special Sub-Inspector of Police,
Silaiman, Police Station,
Madurai-625 201.

5.Police Constable,
Silaiman Police Station,
Madurai-625 201.

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N.ANAND VENKATESH, J.

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