



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.A(MD)No.246 of 2022

and

C.M.P. (MD)No.2296 of 2022

Adhivalavan

... Appellant/Petitioner

-Vs-

- 1.The District Collector,
Madurai District, Madurai.
- 2.The District Revenue Officer,
Madurai District, Madurai.
- 3.The Superintendent of Police,
Surveyor Colony, K.Pudur, Madurai-7.
- 4.The Deputy Superintendent of Police,
Oomatchikulam Division,
Madurai District, Madurai-107.
- 5.The Inspector of Police,
Silaimaan Police Station,
Madurai-Dt.
- 6.Shanthi Devi

... Respondents / Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent, praying this Court to set aside the order dated 21.01.2022 made in W.P(MD)No.12031 of 2019.

Prayer in WP(MD)No.12031 of 2019:- Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the fifth respondent not to interfere to the civil dispute this is totally civil in nature and also not to harass the petitioner until disposal of the suit before the District Munsif Court, Madurai in O.S. No. 141 of 2018 in I.A. No. 811 of 2018 based on his representation on 25.04.2019.

For Appellant : Dr.K.Malathi

For R1 to R5 : Mr.J.Ashok,

Additional Government Pleader.



JUDGMENT

R.SUBRAMANIAN, J.
AND
N.SATHISH KUMAR , J.

WEB COPY

The appellant challenges the order dated 21.01.2022 made in W.P(MD)No.12031 of 2019, imposing cost on the petitioner for not impleading the defacto complainant and filing the Writ Petition with mala fide intention.

2.The prayer in the Writ Petition is for a Mandamus, directing the 5th respondent not to interfere to the civil dispute this is totally civil in nature and also not to harass the petitioner until disposal of the suit before the District Munsif Court, Madurai in O.S.No.141 of 2018 in I.A.No.811 of 2018 based on his representation on 25.04.2019. [*The prayer is reproduced as found in the Writ Petition, the English is not ours*].

3.The learned Single Judge has rightly dismissed the Writ Petition with cost. It is seen from the records that the complaint in crime No.37 of 2019 has been registered against the petitioner himself.

4.We, therefore, have no reason to interfere with the order of the learned Single Judge. We are of the view that such Writ Petition itself is not maintainable. Hence, the Writ Appeal fails and is accordingly, dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The District Munsif, Madurai.

2.The District Collector,
Madurai District, Madurai.

3.The District Revenue Officer,
Madurai District, Madurai.

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



4.The Superintendent of Police,
Surveyor Colony, K.Pudur, Madurai-7.

5.The Deputy Superintendent of Police,
Oomatchikulam Division,
Madurai District, Madurai-107.

6.The Inspector of Police,
Silaimaan Police Station,
Madurai-Dt.

+1 CC to M/s.SPL GP (SR-13007[F] dated 18/03/2022)

JUDGMENT MADE IN
W.A(MD)No.246 of 2022
17.03.2022

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GC(31.03.2022) 3P 8C