



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2022

CORAM

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD).No.4011 of 2022

S.Murugan

...Petitioner

Vs.

1.The Superintendent of Police,
Anti-land Grabbing Cell,
Tirunelveli District.

2.The Deputy Superintendent of Police,
Anti-land Grabbing Cell,
Tirunelveli District.

3.The Inspector of Police,
Anti-land Grabbing Cell,
Tirunelveli District.

4.S.Pachai Mal @ Paulraj Nadar

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the 3rd respondent from interfering with the civil dispute between the petitioner and 4th respondent in respect of land in S.No.502/B1, 502/B2, 502/A3 and 502/A4 at Veppilangulam, Radhapuram Taluk, Tirunelveli District, in respect of which the appeal in A.S.No.80/2019 is pending before the Sub-Court, Valliyoor.

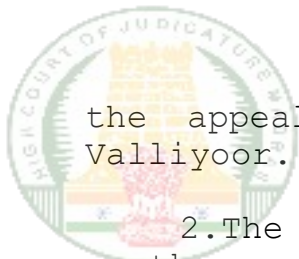
For Petitioner : Mr.H.Arumugam

For R1 to R3 : Mr.B.Thanga Aravindh
Government Advocate

For R4 : Mr.K.Suyambulinga Bharathi
For Mr.S.Ramasamy

ORDER

The writ petition has been filed in the nature of mandamus, seeking a direction to forbear the third respondent from interfering with the civil dispute between the petitioner and fourth respondent in respect of land in S.No.502/B1, 502/B2, 502/A3 and 502/A4 at Veppilangulam, Radhapuram Taluk, Tirunelveli District in respect of



the appeal in A.S.No.80/2019 is pending before the Sub-Court, Valliyoor.

2.The learned Counsel appearing for the petitioner stated that on the complaint lodged by the fourth respondent in respect of the civil dispute between the petitioner and the fourth respondent, the third respondent interfered with the same.

3.The learned Counsel appearing for the fourth respondent stated that already the petitioner had filed a suit for declaration and permanent injunction in respect of the property comprised in S.Nos.502/B1, 502/B2, 502/A3 and 502/A4, measuring to an extent of 2.64 acres, situated at Veppilangulam, Radhapuram Taluk, Tirunelveli District, on the file of the Principal District Munsif Court, Valliyoor and the same was dismissed. Aggrieved by the same, the petitioner preferred an Appeal in A.S.No.80/2019, which is pending on the file of the Sub-Court, Valliyoor. However, no interim order was granted in favour of the petitioner in respect of the possession and enjoyment of the said property. According to the fourth respondent, the petitioner fabricated the title deed and filed a suit. In this regard, the fourth respondent lodged a complaint and it is pending on the file of the third respondent.

4.The learned Government Advocate (Crl.Side) stated that on receipt of the complaint from the fourth respondent, the respondent police registered a case and for the same, the enquiry is still pending and the petitioner is evading service of summons and failed to co-operate for enquiry.

5.In view of the above submissions, the third respondent is directed not to interfere with the civil dispute between the petitioner and the fourth respondent in respect of the subject property, except the complaint lodged by the fourth respondent against the petitioner and if any cognizable offence made out, the third respondent is directed to proceed in accordance with law.

6.With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CO)

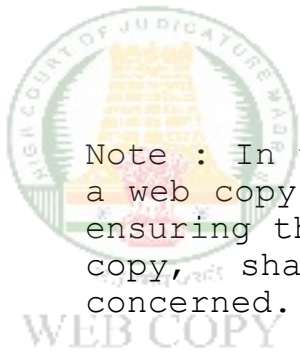
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/ /2022

Sub Assistant Registrar (CS)

lr

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



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,
Anti-land Grabbing Cell,
Tirunelveli District.
- 2.The Deputy Superintendent of Police,
Anti-land Grabbing Cell,
Tirunelveli District.
- 3.The Inspector of Police,
Anti-land Grabbing Cell,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

The Subordinate Judge, Valliyoor.

+1 CC to M/s.H. ARUMUGAM, Advocate (SR-17341[F] dated 07/04/2022)

W.P (MD) .No.4011 of 2022
05.04.2022

RK(20/04/2022) 3P 7C