



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.06.2022

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THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD).No.12762 of 2022 and
WMP(MD).Nos.9048 and 9051 of 2022

1.Yasmin Beevi
2.Seeni Ibrahim
3.Abdul Wahab

...Petitioners

Vs.

1.The Superintendent of Police,
Madurai.

2.The Deputy Superintendent of Police,
Land Grabbing,
Surveyor Colony,
Madurai.

3.The Inspector of Police,
Land Grabbing,
Surveyor Colony,
Madurai.

4.The Inspector of Police,
District Crime Branch,
Land Grabbing,
Surveyor Colony,
Madurai.

5.M.A.Habeeb Mohamed

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 4 from interfering in the civil dispute between the petitioners and the fifth respondent pertaining to the subject property bearing Plot.No.257 in the housing layout in S.Nos.210/5B, 164/5B, 156/3B in Narasingam Fourth Bit Village, Madurai East Taluk, Madurai District.

For Petitioners : Mr.J. Bharathan

For Respondents : Mr.M. Sakthi Kumar
Government Advocate (Crl. Side)



ORDER

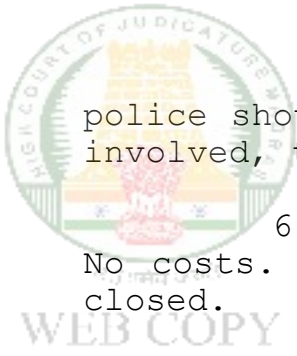
This Writ Petition has been filed for issuing a direction to the respondents 1 to 4 from interfering in the civil dispute between the petitioners and the fifth respondent pertaining to the subject property bearing Plot.No.257 in the housing layout in S.Nos.210/5B, 164/5B, 156/3B in Narasingam Fourth Bit Village, Madurai East Taluk, Madurai District.

2. The petitioner has purchased the property from the 5th respondent viz., M.A.Habeeb Mohamed by a registered sale deed document No.6207 of 2021 on 29.09.2021 in the office of the Sub Registrar, Othakadai. The 5th respondent gave a complaint previously in the Land Grabbing Cell, Madurai that the petitioner has forcibly grabbed the land belonging to him, that petition was enquired and the petitioners have also appeared and gave statement. Thereafter, previous complaint was transferred to the 5th respondent District Crime Branch, Surveyor Colony, Madurai District. Now, again the petitioners called for enquiry and thus, the petitioners have preferred the present Writ Petition seeking direction not to harass the petitioners under the guise of enquiry and not to interfere with the civil dispute.

3.The learned Government Advocate (Crl. Side) appearing for the respondents police would submit that earlier complaint received by the 2nd respondent forwarded to the 4th respondent was not closed. The complaint received by police on 10.06.2022 is forwarded to the 4th respondent is numbered as C.No.37 / DSP / ALGSC / MD/ 2022 and that has been enquired as well as the petitioners were called for enquiry.

4. On perusal of the complaint given by the 5th respondent it is seen that the properties belongs to him was sold to the petitioners 1 and 3 on 29.09.2021 which was registered at Sub Registrar Office, Othakadai. Further, it is alleged that the petitioners have not paid the balance sale consideration for that he gave the complaint to the police. In this regard, the police called the petitioners for enquiry.

5. It is also seen from the records that the 2nd petitioner is only a husband of the first petitioner and he is not a purchaser and he has also not involved in sale transaction and he is leaving to abroad. The purchasers are only the petitioners 1 and 3. Since the first petitioner being a women and the 3rd petitioner is aged about 72 years, the 4th respondent is hereby directed to go to the house of the petitioners 1 and 3 and enquire about the sale transaction and complete the enquiry within a period two weeks from the date of receipt of a copy of this order. It is made clear that if the matter is relating to civil in nature the respondent



police should not interfere with the same. If any criminal case is involved, the police is permitted to take appropriate action.

6. With this direction, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/07/2022

Sub Assistant Registrar (CS)

trp

To

1.The Superintendent of Police,
Madurai.

2.The Deputy Superintendent of Police,
Land Grabbing,
Surveyor Colony,
Madurai.

3.The Inspector of Police,
Land Grabbing,
Surveyor Colony,
Madurai.

4.The Inspector of Police,
District Crime Branch,
Land Grabbing,
Surveyor Colony,
Madurai.

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

+1 CC to M/s.T.R. JEYAPALAM, Advocate(SR-27669[F] dated
23/06/2022)

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MGJ(04.07.2022) 3P 7C