



W.P.(MD)No.8285 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2023

CORAM:

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA,
CHIEF JUSTICE
and
THE HONOURABLE Mrs.JUSTICE L.VICTORIA GOWRI**

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N.Senthilkumar,

... Petitioner

Vs

1. The Superintendent of Police,,
Thanjavur District, District Police Office,
Thanjavur..

2. The Commissioner,
Kumbakonam Municipality,
Kumbakonam,
Thanjavur District..

3. The Deputy Superintendent,
Of Police, Kumbakonam Division,
Kumbakonam,
Thanjavur District..

4. The Inspector of Police,
West Police Station,
Kumbakonam,



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WEB COPY Thanjavur District..

5. N.Sivaraj Alias Sivaji,
S/o. Late Natarajan, No.43a, Lal
Bagadur Sasthiri Road, Mathulampettai,
Kumbakonam,
Thanjavur District..

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent police not to involve in civil dispute till decision of pending suit in O.S.No. 517/2015 on the file of learned District Munsif Court at Kumbakonam and to take necessary action for removing the illegal trespass and obstruction made by the 5th Respondent on public road without any right during the pendency of civil suit filed by him at the supervision of 1st and 2nd Respondents.

For Petitioner : No appearance

For Respondent: Mr.M.Rajarajan for R2

Mr.T.Senthilkumar for R1, R3 and R4

Additional Public Prosecutor

No appearance for R5

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

None appears for the petitioner. We have heard the learned Additional Public Prosecutor for the respondents 1, 3 and 4 and



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WEB COPY the learned counsel for the respondent No.2.

2. Relief claimed that the 4th respondent should not involve in civil dispute till decision of pending suit in O.S.No.517/2015 is purely imaginary. If the civil suit is pending, then necessary orders can be obtained in the pending civil suit. As far as the removal of obstruction is concerned, the petitioner may approach the authority as constituted under G.O.Ms.No.64 dated 08.02.2022.

3. The writ petition stands disposed of accordingly. However, there is no order as to costs.

[L.V.G., J.]

[S.V.G., .C.J.]

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Index : Yes / No

Neutral Citation : Yes / No

RR



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THE HONOURABLE CHIEF JUSTICE
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L.VICTORIA GOWRI, J.

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