



W.P.(MD) No.18054 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD) No.18054 of 2023

V.N.Murugan

... Petitioner

/vs./

1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Inspector of Police,
Kovilangulam Police Station,
Ramanathapuram District.

3.Singam @ Nalluchamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent not to interfere with the civil dispute between the petitioner and the 3rd respondent and consequently direct the 2nd respondent not to stop the house construction work made by petitioner at Ariyamangalam Village, Kamuthi Taluk, Ramanathapuram District in Old Survey No. 141/2, New Survey No. 369/2 in Door No. 1/77.



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For Petitioner : Mr.K.Sathish Kumar
For R1 & R2 : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)

ORDER

This petition is filed seeking for a direction to the respondent police not to interfere in the civil dispute between the petitioner and the respondent No.3.

2.According to the learned counsel, the petitioner is the owner of the property in Old.S.No.141/2, New S.No.369/2 in Patta No.471 and he has built a house in the said place with a old mud wall bearing D.No.1/77 and since the house has become old, the petitioner has decided to dismantle it and build a new house. At that time, the respondent No.3 stated to have tried to obstruct the construction of the wall, thereby on 14.06.2023, the respondent No.2 police allegedly instructed the petitioner to stop the construction alleging that the police have received a complaint from the respondent No.3. It is further submitted that the petitioner has produced all the documents, but the respondent police have refused to accept the same, thereby sought for suitable directions to the respondent No.2 police.



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3.The learned Government Advocate (Crl.side) submits that there is dispute between the petitioner and the respondent No.3 in respect of boundary of the petitioner site and the respondent No.3 has filed a complaint before the police and also before the Tahsildar for measuring the plots belonging to the petitioner and the respondent No.3, so that the dispute can be resolved at once. The learned Government Advocate (Crl.side) has submitted that the survey is likely to be conducted on 08.08.2023.

4.The dispute between the petitioner and the respondent No.3 is purely civil in nature, thereby the respondent police are not expected to intervene, unless there is likely to be a law and order problem in respect of the alleged construction of the petitioner.

5.Accordingly, this Petition is disposed of directing the respondent police not to intervene in the civil dispute. No costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

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DR.D.NAGARJUN, J.

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