



W.P.(MD) No.21037 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD) No.21037 of 2023

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... Petitioner

/vs./

**1.The Superintendent of Police,
Tirunelveli District.**

**2.The Inspector of Police,
Vijayanarayana Police Station,
Tirunelveli District, Tirunelveli.**

3.Thavamani

4.Etisan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the 2nd respondent from interfering the civil dispute between the petitioner and the respondents 3 and 4.

For Petitioner	: Mr.V.Sasi Kumar
For R1 and R2	: Mr.B.Thanga Aravindh
	Government Advocate (criminal side)



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ORDER

This Writ Petition is filed under Article 226 of the Constitution of India seeking for a direction to the respondent No.2 police not to interfere in the civil dispute pending between the petitioner and the unofficial respondent No.3.

2.It is submitted by the learned counsel for the petitioner that there are disputes between the petitioner and the unofficial respondent Nos.3 and 4 and on a false complaint given by the unofficial respondent Nos.3 and 4, the respondent No.2 police have visited the house of the petitioner on 18.07.2023 and directed him to vacate the house property and hand over the same to the unofficial respondent Nos.3 and 4, basing on which the petitioner has sent a representation dated 22.08.2023 and the same was registered as CSR.No.320 of 2023, but thereafter there was no action and therefore, sought for suitable directions.

3.The learned Government Advocate (Crl.side) submits that the complaint given by the unofficial respondent Nos.3 and 4 making allegations against the petitioner was registered as CSR.No.296 of 2023 and both CSRs are pending for enquiry. It is also submitted that the petitioner was asked to appear before the



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police in respect of enquiry, however the petitioner declined to come and filed this petition. It is submitted further that the respondent No.2 police have never directed the petitioner to hand over the possession and the respondent police will never interfere in the civil dispute and after enquiry, if it is found that the dispute between the petitioner and the unofficial respondent Nos.3 and 4 is purely civil in nature, the police will accordingly direct the parties. The same is recorded.

4.Considering the submissions made by the learned counsel on either side and on perusal of the records, this Petition is disposed of directing the petitioner to appear before the respondent police and submit whatever documents as required by the police, in case if there is a request from the police. The respondent police are directed to dispose of both CSR.Nos.296 and 320 of 2023 as quickly as possible, not later than two weeks from the date of receipt of a copy of this order. It is needless to state that the police have no business to intervene in the civil dispute pending between the petitioner and the unofficial respondent Nos.3 and 4.

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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