



W.P.No.8509 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2024

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.No.8509 of 2024

and

W.M.P.No.9460 of 2024

1.E.Ramesh

2.Rajiv Gandhi

... Petitioners

Vs.

1.The Additional Director General of Police,
Law and Order,
Office of the Director General of Police,
Mylapore,
Chennai – 600 004.

2.The Commissioner of Police,
Tambaram City Police,
Sholinganallur,
Chennai – 600 119.

3.The Inspector of Police,
ACP-II, Team-IV,
Central Crime Branch,
Tambaram City Police,
Sholinganallur, Chennai – 600 119.

4.Vijay Sai

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India



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pleased to issue a Writ of Mandamus, forbearing the respondents 2 and 3 from interfering in the civil disputes pending with 1st petitioner and 4th respondent in respect of property in S.No.249/11Part (Old S.No.44/2Bpart) to an extent of 6400 sq.ft. situated at Navalur Village, Thiruporur Taluk, Chengalpattu District.

For Petitioner : Mr.M.R.Jothimanian

For Respondents : Mr.S.Udaya Kumar
Govt. Adv. (Crl.Side) [R1 to R3]

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to forbear the respondents 2 and 3 from interfering in the civil disputes pending with 1st petitioner and 4th respondent in respect of property in S.No.249/11Part (Old S.No.44/2Bpart) to an extent of 6400 sq.ft. situated at Navalur Village, Thiruporur Taluk, Chengalpattu District.

2. Since no adverse order has been passed against the 4th respondent, notice to the 4th respondent is dispensed with.

3. The case of the petitioners is that, there was a property dispute



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in between the petitioners and the 4th respondent in respect of the property in S.No.249/11 Part (Old S.No.44/2B Part) to an extent of 6400 sq.ft. situated at Navalur Village, Thiruporur, Chengalpattu District, which is a civil dispute, in which, the respondents 2 and 3 are interfering with. Therefore, the petitioner has filed the above writ petition.

4. The learned counsel for the petitioners submitted that, the 1st petitioner has filed a suit in O.S.No.9 of 2024 on the file of District Munsif Cum Judicial Magistrate and the same is pending before the civil court. Despite that, the 3rd is insisting the petitioners to settle the property in favour of the 4th respondent illegally. Therefore, he submitted that, it would suffice, if this Court, issues a direction to the respondents 2 and 3 to not to interfere in the civil dispute between the petitioners and the 4th respondent, except due process of law.

5. The learned Government Advocate (Crl.Side) appearing for the respondents 1 to 3 submitted that, initially the petitioners have made a complaint before the law enforcing agency as against the 4th respondent and the said complaint was enquired, in which the 4th respondent



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appeared before the law enforcing agency, however, the petitioners have not appeared before the police and the same was closed, directing the parties to approach the civil court. He also submitted that the police will not interfere with the same.

6. Recording the submissions of the learned Government Advocate (Crl.Side) appearing for the respondents 1 to 3, this writ petition is dismissed. It is made clear that the parties will work out their remedy only before the civil court and the respondent police will not interfere in the dispute between the parties. No costs. Consequently, the connected miscellaneous petition is closed.

01.04.2024
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Index : Yes / No
Speaking order / Non-speaking order
NCC : Yes/No
sp



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- 1.The Additional Director General of Police,
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- 2.The Commissioner of Police,
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Sholinganallur,
Chennai – 600 119.
- 3.The Inspector of Police,
ACP-II, Team-IV,
Central Crime Branch,
Tambaram City Police,
Sholinganallur, Chennai – 600 119.
- 4.The Public Prosecutor,
High Court of Madras.



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sp

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W.M.P.No.9458 of 2024

in

W.P.No.8509 of 2024

M.DHANDAPANI, J.

This petition is ordered on
payment of single Court fee.

01.04.2024

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