



WEB COPY



W.P.No.23824 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2024

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

W.P.No.23824 of 2024

I.Murugan

... Petitioner

vs.

- 1.The District Collector,
Villupuram,
Villupuram District.
- 2.The Revenue Divisional Officer,
Vanur Taluk, Villupuram,
Villupuram District.
- 3.The Tahsildar,
Vanur Taluk,
Villupuram,
Villupuram District.
- 4.The Superintendent of Police,
Villupuram District,
Villupuram.
- 5.The Deputy Superintendent of Police,
Kottakuppam, Camp Office Auroville,
Vanur Taluk, Villupuram District.



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6. The Station House Officer,
F2, Auroville Police Station,
Tindivanam Bye Pass Road,
Thiurchitramblam Coot Road,
Villupuram District.

7.P.Damodharan

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 1 to 6 from interfering the civil dispute which is also the subject matter of the O.S.No.43 of 2022 on the file of the Principal Sub-ordinate Judge, Villupuram.

For Petitioner : Mr.R.Rajarajan
For Respondents : Mr.S.Udayakumar
Government Advocate (Crl. Side)
for R1 to R6
Dr.A.Thiyagarajan, Senior Counsel
for Mr.D.Senthilkumar for R7

ORDER

This Writ Petition is filed seeking mandamus, forbearing the respondents 1 to 6 from interfering with the civil dispute which is subject matter of O.S.No.43 of 2022.

2. The respondent Police has filed a detailed counter stating that a



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complaint of cheating, forgery and falsification of record has been registered by the DCP, Villupuram in Crime No.21 of 2022 on 22.07.2022 against Arumugam and Azhagappan and the same is under investigation. It is incorrect to state that the Police to accommodate the 7th respondent is trying to interfere with the possession of the petitioner. The counter affidavit filed by the 6th respondent was adopted by the 4th respondent. Further states that the request of one Damodaran for carrying out survey for the disputed property with Police protection was considered by this Court in CrI.O.P.No.16138 of 2024 and in the said OP, this Court has passed the following order:-

"3. Recording the submissions made by the learned Government Advocate (Crl. Side), this Criminal Original Petition is disposed of with direction to the respondent police to file a final report within a period of two months from the date of receipt of copy of the order."

Therefore, the contention of the petitioner herein that the respondents are trying to interfere in a civil dispute is incorrect.

3. The learned counsel appearing for the 7th respondent by way of a



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typed set of papers submit that the Revenue Officials, after proper enquiry has issued patta in favour of one M.R.Sighwi and the 7th respondent is the Power Agent of the said M.R.Singhwi. Further more, the First Information Report in FIR No.21 of 2022 dated 22.07.2022 against the father-in-law of the petitioner and the another is still under investigation and when the petitioner approached the High Court for complete the investigation and file final report in Crime No.21 of 2022, this Court has directed the respondent Police to complete the investigation and file a final report within a period of two months. Apprehending that the final report against the father-in-law will be adverse to them, the present petition is filed as if there is interference by the Police in a civil dispute.

4. This Court on perusing the records find that the dispute regarding title is already subject matter of O.S.No.43 of 2022 and as far as the genuineness of the document relied upon by the petitioner's father-in-law and another is subject matter of investigation in Crime No.21 of 2022.

5. In such circumstances, this Writ Petition filed alleging that the



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Police is interfering with the civil matter is devoid of merit and it stands dismissed. No costs.

06.09.2024

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Index : Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No

To

1.The District Collector,

5/7



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- 7.The Public Prosecutor,
Madras High Court.

Dr.G.JAYACHANDRAN, J.

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