



W.P(MD)No.5100 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2024

CORAM :

THE HON'BLE MR.JUSTICE **SATHI KUMAR SUKUMARA KURUP**

W.P(MD)No.5100 of 2024

Balasundari

... Petitioner

Vs.

1. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
2. The Tahsildar,
Mudhukulathur Taluk,
Mudhukulathur,
Ramanathapuram District.
3. The Inspector of Police,
Keezhathuaval Police Station,
Keezhathuaval,
Ramanathapuram District.
4. The Inspector of Police,
Abiramam Police Station,
Abiramam,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents No.3 and 4 not to interfere with the civil dispute in respect of Survey No.82/6, for total extent of 0.50.0 Acres, 1 Acre, 23 Cents



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situated at A.Nedungulam Village, Mudhukulathur Taluk, Ramanathapuram District which is subject matter in the suit in O.S.No.2 of 2024 on the file of learned District Munsif Court, Mudhukulathur, Ramanathapuram District on the basis of the Petitioner's representation dated 12.02.2024 within the time stipulated by this Court.

For Petitioner : Mr.A.C.Asaithambi

For Respondents : Mr.B.Thanga Aravindh
Additional Public Prosecutor

ORDER

The Petitioner had filed this Writ Petition seeking a Writ of Mandamus, against the Respondents No.3 and 4 not to interfere with the civil dispute in respect of Survey No.82/6, for total extent of 0.50.0 Acres, 1 Acre, 23 Cents situated at A.Nedungulam Village, Mudhukulathur Taluk, Ramanathapuram District which is subject matter in the suit in O.S.No.2 of 2024 on the file of Court of the learned District Munsif, Mudhukulathur, Ramanathapuram District on the basis of the Petitioner's representation dated 12.02.2024.

2.The learned Counsel for the Petitioner submitted that the Petitioner had purchased the agricultural lands bearing Survey No.82/6,



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for total extent of 0.50.0 Acres, 1 Acre, 23 Cents situated at A.Nedungulam Village, Mudhukulathur Taluk, Ramanathapuram District. It is his further submission that the Petitioner's vendor had sold the property in which there are other claimants also. While so, after purchase of the property, the Petitioner along with his vendor had filed a suit in O.S.No.2 of 2024, against the other sharers of the property before the Court of the learned District Munsif, Mudhukulathur, Ramanathapuram. When the suit is pending, the Respondents No.3 and 4 had summoned the Petitioner after receiving the complaint from one of the sharers which forces the Petitioner to lodge a complaint with the first Respondent. Since no action was taken, the Petitioner was forced to file this petition seeking direction against the Respondents not to interfere in the civil suit.

3.The learned Government Advocate (Criminal side) on instructions from the Respondent Police submitted that one Parthiban had given a complaint to the Respondents No.3 and 4. Based on the complaint, the Respondent Police had registered a case as C.S.R and conducted an enquiry. After due enquiry, both the parties were directed to seek remedy through the Civil Court and the C.S.R was closed.



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4.Recording the submission of the learned Government Advocate

(Criminal side), this Writ Petition is closed. No costs.

05.03.2024

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

jbr

To

1. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
2. The Tahsildar,
Mudhukulathur Taluk,
Mudhukulathur,
Ramanathapuram District.
3. The Inspector of Police,
Keezhathuaval Police Station,
Keezhathuaval,
Ramanathapuram District.
4. The Inspector of Police,
Abiramam Police Station,
Abiramam,
Ramanathapuram District.



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