



W.P(MD)No.6664 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P(MD)No.6664 of 2024

Nagarathinam,

... Petitioner

Vs

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

2. The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul 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 to initiate an appropriate action based on the petitioner's representation dated 10.06.2023 in order to save him and his family members and portion of the petitioner's land at the hands of the rowdy elements namely Rajendran, S/o. Subbaiah Pillai and his family members who illegally trespassed her land bearing Survey No. 507, situated at A



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Block, House Site Nos. I, IA and III, Vinayagar nagar, Seelapadi Village,
Dindigul West Taluk, Dindigul District by conducting an appropriate
enquiry in this regard.

For Petitioner : Mr.V.R.Venkatesan

For Respondents : Mr.R.Siva Kumar
Government Advocate (Crl.Side)

ORDER

The learned Counsel appearing for the Petitioner submit that the
Petitioner had filed this petition seeking a direction against the
Respondents based on the representation, dated 10.06.2023.

2.It is the contention of the learned Counsel appearing for the
Petitioner that rowdy element namely Rajendran s/o Subbiah Pillai and
his family members had illegally trespassed in the property bearing
Survey No.507 at A Block, House Site Nos. I, IA and III, Vinayagar
nagar, Seelapadi Village, Dindigul West Taluk, Dindigul District, by
conducting an appropriate enquiry.



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3.The learned Government Advocate (Crl.Side) on instructions of the Respondents submit that based on the Petitioner's complaint, CSR No.779 of 2023 was registered and enquiry was conducted. Both the parties appeared and gave an undertaking that the so called rowdy element appeared before the Respondent Police and gave an undertaking that he will not interfere with the possession of the Petitioner's property.

4. As per the affidavit of the Petitioner, it is clear that the rowdy element by name Rajendran is alleged to have attempted to trespass the property of the Petitioner. Considering the circular issued by the Director General of Police, Tamil Nadu/Head of State Police Force, Chennai-4, in Rc.No.007301/General I(I)/2019, dated 09.04.2019, to the Field Officers that they shall not entertain any dispute regarding property and money. the Petitioner is directed to approach the civil Court to uphold his right of possession in the ownership of the property. Without getting decree from the civil Court, he cannot seek a direction from this Court to the Police officials to conduct enquiry in the civil Dispute.

5.Recording the submission made by the learned Government Advocate (Crl.Side), this writ petition is closed with a direction to the



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Petitioner to approach a civil Court for getting a decree in his favour. No costs.

20.03.2024

Index :Yes/No
Internet: Yes/No
LR



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To

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

2. The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

LR

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