



W.P(MD)No.10087 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.10087 of 2022

and

W.M.P.(MD).No.7180 of 2022

M.Mohideen Abdul Kader

... Petitioner

Vs.

1.The Commissioner of Police,
Tirunelveli City Police,
Tirunelveli.

2.The Inspector of Police,
Land Grabbing Special Wing,
Palam Police Station Upstairs,
Tirunelveli Junction.

3.Kaja Masood Safiyul Kadari

4.Hyder Ali

5.Bagat Singh

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the second respondent from interfering in civil dispute which is relating to the land in Survey No.560/1 to an extent of 11 cents out of 1 acre 13 cents now as per T.S.No.3352/1, T.S.Ward 4, Block 37, situated at Melappalayam Village, Tirunelveli District.



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For Petitioner : Mr.T.Selvan

For R-1 & R-2 : Mr.B.Nambiselvan,
Additional Public Prosecutor

For R-3 to R-5 : Mr.R.Mohanasundaram

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, forbearing the second respondent from interfering in civil dispute between the petitioner and the private respondents.

2. The learned counsel appearing for the petitioner would submit that already there was a property dispute between the petitioner and respondent Nos.3 to 5. He would further submit that the petitioner is in possession and enjoyment of the subject property. He would further submit that the third respondent is trying to interfere with the petitioner's property. He would further submit that the third respondent made a complaint before the second respondent alleging that the subject property belongs to him. He would further submit that the civil dispute has to be decided only by the competent Civil Court.

3. The learned counsel appearing for the private respondents would submit that they will work out their remedy before the concerned Civil Court.



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4. In view of the above said submission, the respondent Police shall close the complaint by advising both the parties to work out their remedy before the appropriate civil forum.

5. Accordingly, this Writ Petition stands closed. No costs. Consequently, the connected miscellaneous petition is closed.

01.02.2024

Index :Yes/No

Internet :Yes/No

TSG

To: -

- 1.The Commissioner of Police,
Tirunelveli City Police,
Tirunelveli.
- 2.The Inspector of Police,
Land Grabbing Special Wing,
Palam Police Station Upstairs,
Tirunelveli Junction.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

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