



W.P.(MD)No.11490 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.06.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.11490 of 2024

V.Chellamuthu

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Dindigul District,
Dindigul.

3.The Inspector of Police,
Kallimanthaiyam Police Station,
Kallimanthaiyam,
Dindigul District.

4.Vibin Thakivas

5.Chinnasamy Mahendran

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the second and third respondents not to interfere in the civil dispute in O.S.No.153 of 2023 on the file of the Sub Court, Oddanchathiram and consider the petitioner's complaint dated 23.05.2024.



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For Petitioner : Mr.S.Pugalendhi
For R1 to R3 : Mr.B.Thanga Aravindh,
Government Advocate(Crl.side)
For R4 : Mr.N.Shylloppa Kalyan
For R5 : Mr.B.Saravanan,
Senior Counsel,
for Mr.V.Karuna

ORDER

The petitioner has approached this Court by alleging that the second and third respondents are interfering in the civil dispute between the petitioner and the private respondents in O.S.No.153 of 2023 on the file of the Sub Court, Oddanchathiram.

2.The learned counsel appearing for the petitioner submits that the petitioner herein is a poor farmer and without his knowledge, a document has been created and they are attempting to take away his property. In this connection, the petitioner has also filed a suit in O.S.No.153 of 2023 before the Sub Court, Oddanchathiram for the relief of declaration declaring the sale deed dated 19.04.2022 as null and void. Pending the suit, the official respondents are harassing him, in order to withdraw the said suit and therefore, the petitioner has approached this Court.



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3.The learned Government Advocate(Crl.side) appearing for the official respondents submits that the petitioner herein has created problem, for which, on the complaint lodged by the fourth respondent, a case in Cr.No.130 of 2024 has been registered as against the petitioner, for the offence under Sections 147, 148, 341, 294(b) and 506(2) IPC.

4.The learned Senior Counsel appearing for the fifth respondent submits that the petitioner herein executed a registered sale deed before the Registrar Office on 19.04.2022 and now creating a problem with the company which has installed wind mill in the subject land. The petitioner has also filed a suit in O.S.No.153 of 2023 before the Sub Court, Oddanchathiram to declare the sale deed dated 19.04.2022 as null and void. The petitioner has attempted to prevent the staff of the fourth respondent from installing wind mill, for which, they lodged a complaint and a criminal case has also been registered as against the petitioner.

5.This Court considered the rival submission made on either side and perused the materials available in the record.

6.It appears that the petitioner is having a dispute with the fourth respondent and a civil suit is also pending before the Sub Court,



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Oddanchathiram. Before the civil Court, P.W.1 was examined and the case is posed for cross-examination. The petitioner has to workout his remedy only before the civil Court by way of seeking an injunction or for some other relief. Since the third respondent Police registered a case as against the petitioner, this Court is not inclined to pass any orders in this petition. Accordingly, this writ petition is dismissed. No costs.

24.06.2024

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

- 1.The Superintendent of Police,
Dindigul District,
Dindigul.
- 2.The Deputy Superintendent of Police,
Dindigul District,
Dindigul.
- 3.The Inspector of Police,
Kallimanthaiyam Police Station,
Kallimanthaiyam,
Dindigul District.



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B.PUGALENDHI,J

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