



WP(MD). No.13066 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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T.Sekar

... Petitioner

Vs

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

2.The Deputy Superintendent of Police, Kumbakonam,
Thanjavur District.

3.The Inspector of Police,
Swamimalai Police Station,
Kumbakonam, Thanjavur District.

4. Kalian. C

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, directing the respondents 1 to 3 not to interfere in the civil dispute of the petitioner and the fourth respondent by considering the petitioner's representation dated 08.06.2024.

For Petitioner : Mr.R.Maheswaran

For R1 to R3 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



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ORDER

The petitioner with a grievance that the respondent police is interfering in the civil dispute between the petitioner and the fourth respondent has approached this Court.

2.The case of the petitioner is that the petitioner has purchased a property in R.S.No.179/74 to an extent of 0.015 ares and a tiled house at MGR Colony, Manappadayur Village, Thiruvazhanjuli Village, Kumbakonam Taluk, Thanjavur District on 14.01.1995 through an unregistered sale deed and subsequently, the fourth respondent has handed over the patta for the subject property. Thereafter, the petitioner is in absolute possession and enjoyment of the above property. The grievance of the petitioner is that the fourth respondent has disturbed his peaceful possession and attempted to dispossess him from the above property and he has also instituted a civil suit in O.S.No.344 of 2012 on the file of the I Additional



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District and Munsif Court, Kumbakonam, seeking permanent injunction and the same was decreed in favour of the fourth respondent. This civil dispute went upto the stage of Second Appeal in SA(MD) No.641 of 2023 and it was dismissed by Judgment dated 03.11.2023. The petitioner has filed a Review Application(MD) SR.No.93894 of 2023 and the same is pending. At this juncture, the third respondent /the Inspector of Police, Swamimalai Police Station, Thanjavur District along with the fourth respondent has threatened the petitioner to vacate the subject property. Therefore, the petitioner is before this Court.

3.Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor takes notice for the respondents 1 to 3 and submits that the respondent police has never interfered in the civil dispute, which is pending between the petitioner and the fourth respondent.



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4. Recording the submission made by the learned Additional Public Prosecutor, this writ petition is closed with liberty to the petitioner to workout his remedy in the Review application, which is pending before this Court. No costs.

20.06.2024

NCC : Yes / No.
Index : Yes / No.
vrn

To

1. The Superintendent of Police,
Thanjavur,
Thanjavur District.
2. The Deputy Superintendent of Police, Kumbakonam,
Thanjavur District.
3. The Inspector of Police,
Swamimalai Police Station,
Kumbakonam,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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B.PUGALENDHI, J.

vrn

Order made in
W.P(MD)No.13066 of 2024

20.06.2024