



W.P.(MD)No.14770 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.14770 of 2024

S.Murugan

... Petitioner

Vs.

1.The Commissioner of Police,
Tirunelveli City.

2.The Assistant Commissioner of Police,
(Law and Order), Tirunelveli City.

3.The Inspector of Police,
Melapalayam Police Station,
Tirunelveli City.

4.Poolpandi @ Palraj

... 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 first to third respondents to take action on his complaint dated 26.03.2024 under the criminal law in the light of the dictum laid by the Hon'ble Supreme Court of India in the case of Lalitha Kumari Vs. The State of Uttar Pradesh & Ors as reported in (2014) 2 SCC 1.

For Petitioner

: Mr.R.Anand

For R1 to R3

: Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.



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ORDER

The petitioner has approached this Court seeking a direction to the official respondents to conduct enquiry on his complaint dated 26.03.2024 and take appropriate action.

2.The learned Additional Public Prosecutor appearing for the official respondents submits that the complaint of the petitioner is civil in nature and therefore, the complaint was enquired and the same is closed with a direction to approach the civil Court.

3.The learned counsel appearing for the petitioner submits that the petitioner has filed a suit in O.S.No.127 of 2024 before the Principal District Munsif Court, Tirunelveli and the same is pending. Further, he submits that though the complaint appears to be civil in nature, the fourth respondent herein has trespassed into the land of the petitioner and tried to construct a house.



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4. Admittedly, there is a civil suit pending between the parties and therefore, the petitioner has to workout his remedy only before the civil Court. The Police Officials are not supposed to interfere in the civil dispute. This Court is not inclined to entertain this petition. Accordingly, this writ petition is dismissed. No costs.

05.07.2024

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

To

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(Law and Order), Tirunelveli City.
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B.PUGALENDHI,J

gns

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