



W.P(MD)No.19257 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2024

WEB COPY

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.19257 of 2024

P.Balamurugan

: Petitioner

Vs.

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

2.The Inspector of Police,
Kenikarai Police Station,
Kenikarai.

3.Muneeswari

4.Vanitha

5.Susi

6.Kuruvammal

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to recognize the petitioner's right over the subject property and further direct the second respondent not to interfere with the civil dispute(s) between the petitioner and the respondents 3 to 6 or entertain such complaints received from the respondents 3 to 6.



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For Petitioner : Mr.GR.Balakumar
For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor, for R1 & R2.
: Mr.A.R.Kannappan, for R3 and R4.

ORDER

The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the second respondent to recognize the petitioner's right over the subject property and further direct the second respondent not to interfere with the civil dispute(s) between the petitioner and the respondents 3 to 6 or entertain such complaints received from the respondents 3 to 6.

2. As rightly contended by the learned Additional Public Prosecutor, the very first prayer directing the police to recognize the petitioner's right over the subject matter cannot be sustained. But the learned counsel for the petitioner would submit that the RDO, after conducting enquiry, has already passed an order, dated 20.09.2023, in his favour and that thereafter, the private respondents with the help of the second respondent has been interfering with the petitioner's possession alleging that there was a pathway in the subject matter of the property.



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3. The learned counsel for the private respondents would submit that the civil suit in O.S.No.133 of 2023 is pending before the Principal District Court, Ramanathapuram.

4. The learned Additional Public Prosecutor appearing for the State would submit that on the basis of the complaint given by the petitioner, CSR No.1007 of 2004 came to be registered and after enquiry, the same was closed. He would further submit that the second respondent has nothing to do with the above issue and not interfered with the petitioner's possession.

4. Recording the same, this writ petition is closed. Since the civil suit is pending, the parties are at liberty to canvass their case in the Civil Court.
No costs.

12.08.2024

NCC : Yes/ No
Index : Yes/No
Internet : Yes/ No
das



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K.MURALI SHANKAR, J

das

To

- 1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 2.The Inspector of Police,
Kenikarai Police Station,
Kenikarai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
W.P(MD)No.19257 of 2024

12.08.2024