



W.P.(MD)No.23890 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.23890 of 2024

C.Dhas

...Petitioner

Vs.

- 1.The District Collector,
Kanyakumari District,
Nagercoil, Nagercoil Post,
Kanyakumari District.
- 2.The Superintendent of Police,
Kanyakumari District,
Nagercoil, Nagercoil Post,
Kanyakumari District.
- 3.The Assistant Superintendent of Police,
Colachel, Colachel Post,
Kanyakumari District.
- 4.The Inspector of Police,
Eraniel Police Station,
Neyyoor Post,
Kanyakumari District.
- 5.T.Akila

... 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 third



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respondent to forbear from causing any disturbances to the petitioner's possession and enjoyment over the property consists of 1.666 cents of land comprised in S.No.431/4 Eraniel Village, Kalkulam Taluk, Kanyakumari District, without due process of law.

For Petitioner : Mr.J.John Jeyakumar

For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor,
for R1 to R4.

ORDER

The Writ Petition has been filed, invoking Article 226 of the Constitution of India, seeking orders, to direct the third respondent to forbear from causing any disturbances to the petitioner's possession and enjoyment over the property consists of 1.666 cents of land comprised in S.No.431/4 Eraniel Village, Kalkulam Taluk, Kanyakumari District, without due process of law.

2. The learned counsel appearing for the petitioner would submit that one Gnanam has filed a suit in O.S.No.186 of 2004 on the file of the Additional District Musif Court, Eraniel, against the petitioner and others for declaration and permanent injunction and after full trial, the suit was dismissed and moreover, the plaintiff therein was directed to pay



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compensation of Rs.1,000/- to the petitioner herein and that at the instance of the fifth respondent, the police has been attempting to disturb the petitioner's possession.

3. The learned Additional Public Prosecutor appearing for the State would submit that on the basis of the complaint given by the petitioner as well as the fifth respondent, CSR.No.1180 and 1179 of 2024 came to be registered, enquiry was conducted and by taking note of the judgment and decree passed by the competent Civil Court, they have closed the both CSRs.

4. Recording the submission made by the learned Additional Public Prosecutor, this Writ Petition stands disposed of. No costs.

14.10.2024

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



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K.MURALI SHANKAR, J

das

To

- 1.The District Collector,
Kanyakumari District, Nagercoil,
Nagercoil Post, Kanyakumari District.
- 2.The Superintendent of Police,
Kanyakumari District, Nagercoil,
Nagercoil Post, Kanyakumari District.
- 3.The Assistant Superintendent of Police,
Colachel, Colachel Post, Kanyakumari District.
- 4.The Inspector of Police,
Eraniel Police Station, Neyyoor Post,
Kanyakumari District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
W.P.(MD)No.23890 of 2024

Dated : 14.10.2024