



W.P(MD) No.31565 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :27.12.2024

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THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.31565 of 2024
and
W.M.P(MD)No.26425 of 2024

K.Tamilarasan

... Petitioner

-Vs-

- 1.The Director General of Police,
No.1, Radhakrishnan Road,
Mylapore, Chennai-600 004.
- 2.The Inspector General of Police,
South Zone,
77, 4th Street, K.K.Nagar,
Race Course Colony,
Madurai-625 002.
- 3.The Deputy Inspector General of Police,
Dindigul Range,
Seelapadi, Dindigul-624 005.
- 4.The Superintendent of Police,
Theni District,
Theni.
- 5.The Deputy Superintendent of Police,
Theni Circle,
Theni District.



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6.The Inspector of Police,
Palanichettypatty Police Station,
Theni District.

7.Manimaran,
Sub-Inspector of Police,
Palanichettypatty Police Station,
Theni District.

8.P.Palpandi

9.S.Jeyagopal

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents 1 to 6 herein not to interfere in civil dispute and harass the petitioner and also take necessary action against the seventh respondent for abusing his power and causing intimidation to disposes the petitioner from agricultural land illegally by considering the petitioner's representation, dated 19.12.2024 and pass any other appropriate relief as this Court.

For Petitioner : Mr.A.Banumathy

For R-1 to R-7 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

For R-8 & R-9 : Mr.S.Sukumar



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ORDER

The present petition has been filed for issuance of Writ of Mandamus directing the respondents 1 to 6 herein not to interfere in civil dispute and harass the petitioner and also take necessary action against the seventh respondent for abusing his power and causing intimidation to disposes the petitioner from agricultural land illegally by considering the petitioner's representation, dated 19.12.2024.

2. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3. The learned Additional Public Prosecutor appearing for the respondents 1 to 7 would submit that based on the complaint given by this petitioner, they issued summons to the petitioner for enquiry but he did not appear and the date is fixed on 30.12.2024 but the allegations levelled by the petitioner as against the seventh respondent are totally denied. However,



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the seventh respondent never interfered with the possession of the either parties.

4. The learned Counsel appearing for the respondents 8 and 9 also would submit that they are in possession of the property.

5. This Court cannot decide the possession of the parties and they can approach the appropriate forum in respect of their possession. As far as not to interfere in the civil dispute is concerned, the learned Additional Public Prosecutor would submit that they never interfered with the possession of the either parties. As far as taking action as against the seventh respondent is concerned, already the date was fixed for enquiry on 30.12.2024. Therefore, the petitioner can participate in the enquiry proceedings. Since there is a dispute between the parties in respect of the possession of the property, this Court cannot decide the possession and main relief sought for by the petitioner is not to interfere with his possession. In view of the above, recording the submission of the learned Additional Public Prosecutor that they have not interfered with the possession of either parties, it is appropriate to dispose of the case by recording the submission of the parties



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as stated above.

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6. Recording the said submission, this writ petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

27.12.2024

Index : Yes/No
Internet : Yes/No
BTR

To

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5. The Deputy Superintendent of Police,
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6. The Inspector of Police,
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7. The Sub-Inspector of Police,
Palanichettypatty Police Station,
Theni District.
8. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.



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P.DHANABAL, J.

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