



W.P.No.14224 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.14224 of 2025
and
W.M.P.No.15996 of 2025

M.Ramasamy

... Petitioner

Vs

1. The Superintendent of Police,
District Police Office,
Tiruppur – 641 604,
Tiruppur District.

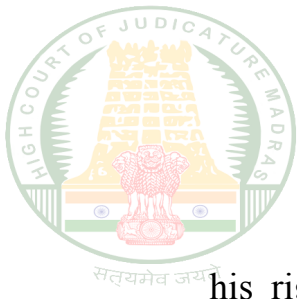
2. The Station House Officer,
Kunnathur Police Station,
Kunnathur – 638 103,
Tiruppur District.

3. K.N.Murugesan

4. R.Ramasamy

... Respondents

Writ Petition filed under Article 226 of the Constitution praying to issue a Writ of Mandamus, forbearing the first and second respondents from interfering with the civil dispute so as to help the third and fourth respondents to take forcible possession of the subject property measuring 2.08 acres in R.S.Nos.4/1, 4/2 and 4/8, Chettikuttai Village, Uthukuli Taluk, Tiruppur District, by taking the law in their own hands and in violation of



W.P.No.14224 of 2025

his right to property, by considering the petitioner's representation dated 05.02.2025.

For Petitioner : Mr.N.Manokaran

For Respondents : Mr.A.Gopinath,
Government Advocate (Crl.Side)
for R1 & R2
Mr.N.R.Elango, Senior Counsel
for Mr.A.S.Ashwin Prasanna (for R3 & R4)

O R D E R

With consent of both sides, this Writ Petition has been taken up for disposal at the admission stage itself.

2. This Writ Petition has been filed to forbear the first and second respondents from interfering with the civil dispute, so as to prevent the third and fourth respondents from taking forcible possession of the subject property measuring 2.08 acres comprised in R.S.Nos.4/1, 4/2, and 4/8, situated at Chettikuttai Village, Uthukuli Taluk, Tiruppur District, by taking the law into their own hands and in violation of his right to property, by considering the petitioner's representation dated 05.02.2025.

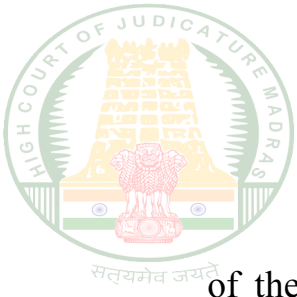


W.P.No.14224 of 2025

WEB COPY

3. There is a property dispute pending between the petitioner and the third and fourth respondents in respect of the said property. While that being so, the petitioner received a call from the second respondent, as if on the complaint lodged by the third respondent, they are taking forcible possession of the subject property from the petitioner.

4. The learned Senior Counsel appearing for the third and fourth respondents would submit that the third respondent has already filed a suit in respect of the very same property against the petitioner's brother, who had executed a sale deed in favour of the third respondent, and obtained an injunction in O.S.No.229 of 1999 on the file of the II Additional Subordinate Court, Erode in pursuance of the sale deed executed in favour of the third respondent herein by the petitioner's brother. Thereafter, the petitioner's brother disputed the sale deed executed in favour of the third respondent, since the sale deed has been executed in favour of the third respondent herein under the guise of a mortgage deed. Subsequently, on the leasehold right, the petitioner is in possession and enjoyment of the subject property. However, the third respondent had executed another sale deed in favour of the fourth respondent in respect of the subject property and on the strength



W.P.No.14224 of 2025

WEB COPY

of the sale deed, now the third and fourth respondents are trying to take forcible possession of the subject property from the petitioner with the influence of the first and second respondents.

5. Taking into consideration the aforesaid submissions, this Court is of the view that the first and second respondents have absolutely no right to intervene in the civil dispute pending between the petitioner and the third and fourth respondents herein. If at all the third respondent wants to take possession of the property, he has to approach the Civil Court for appropriate relief against the petitioner. However, possession cannot be taken forcibly from the petitioner in respect of the subject property under the guise of the police complaint. In fact, the police personnel have no authority to interfere in the civil dispute pending between the parties. In this regard, the Additional Director General of Police has also issued a Memorandum dated 09.01.2024.

6. With the above directions, this Writ Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed. No costs.



W.P.No.14224 of 2025

22.04.2025

WEB COPY

Index: Yes/No
Neutral Citation/Yes/No
kv

To

1. The Superintendent of Police,
District Police Office,
Tiruppur – 641 604,
Tiruppur District.
2. The Station House Officer,
Kunnathur Police Station,
Kunnathur – 638 103,
Tiruppur District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



WEB COPY



W.P.No.14224 of 2025

G.K.ILANTHIRAIYAN, J.

kv

W.P.No.14224 of 2025

22.04.2025