



WP.No.18930 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 18.08.2025

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.18930 of 2025 & WMP.No.21220 of 2025

M.Brammamorthy

.. Petitioner

Versus

1.The Superintendent of Police
District Police Office
Sankari Main Road
Netthimedu, Salem

2. The Deputy Superintendent of Police
Sankagiri Range
Salem District

3.The Inspector of Police
Magudanchavadi Police Station
Salem District

4.The Sub-Inspector of Police
Magudanchavadi Police Station
Salem District

5.Senthilkumar

6.Anandhan

7.Ravichandran

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents 3 and 4 from interfering into the petitioner's lawful business namely Dhanalashmi Textiles in Registration No.Udyam-TN20-0020621, situated at Door No.7-1/159, Pattappan Kovil Street, Ilampillai Salem – 637 502.



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For Petitioner : Mr.B.Kumarasamy
For Respondents : Mr.K.M.D.Muhilan for R1 to R4
Additional Public Prosecutor
R5 & R6- No appearance
Mr.R.Krishnasamy for R7

ORDER

This writ petition has been filed forbearing the respondents 3 and 4 from interfering into the petitioner's lawful business namely Dhanalashmi Textiles in Registration No.Udyam-TN20-0020621, situated at Door No.7-1/159, Pattappan Kovil Street, Ilampillai Salem – 637 502.

2. According to the petitioner, he has entered an agreement for sale dated 24.08.2022 in respect of 4/5 shares with the legal heirs of one Raja to an extent of 1.38 acres for a valuable sale consideration of Rs.12 lakhs and Rs.10 lakhs was paid as advance. Based on the sale agreement, suit was filed in O.S.No.427 of 2003 on the file of the learned Principal District Judge, Salem. The said suit was decreed in his favour and ultimately, sale deed is executed in his favour and the same is registered in his favour in Doc.No.4287/2024 on the file of the SRO, Magudanchavadi and he is in the possession of the property. Now, it is the grievance of the petitioner that at the instigation of the 7th respondent, the respondents 5 and 6 are interfering with the lawful possession. Hence, this writ petition.



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3. The learned Additional Public Prosecutor, on instructions, submitted that the respondent police is not interfering with the possession. They have registered the FIR based on the complaint given by the 7th respondent.

4. Heard both sides and perused the materials placed on record. The nature of the allegations found in the FIR and the contentions raised by the learned counsel for the petitioner indicate that there is a civil dispute. Though the petitioner claims to be a purchaser through Court, the fact remains that the FIR is registered as against the petitioner. Be that as it may, police has no right to interfere in a civil dispute except the law and order issue. The rights of the petitioner and the 7th respondent can be decided before the Civil Court. It is also stated by the learned Additional Public Prosecutor final report is also filed based on the FIR as against the petitioner, this Court is of the view that it is totally independent based on the materials collected during the investigation.

5. In view of the above, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition stands closed.

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N.SATHISH KUMAR, J.

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To,

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Netthimedu, Salem
2. The Deputy Superintendent of Police
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Salem District
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