



W.P.No.33037 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.33037 of 2024

M.K.Selvi Natarajan

.... Petitioner

Vs

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

2. The State Rep. By
Inspector of Police,
Palladam Police Station,
Palladam,
Tiruppur District.

3. Sippai @ Sivasamy

4. Pappathi @ Nayagam

.... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents -1 & 2 to take action by preventing the 3rd and 4th respondents from causing any disturbance to the petitioner in compliance with the Decree and Judgment dated 28.09.2015 passed in O.S.No. 30 of 2013 before the Honorable District Munsif Court, Palladam, as held in 2014 (2) CTC 695 by considering the petitioner's representation dated 23.01.2024.



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For Petitioner : Mr.R.Thirumalai

For R1 & R2 : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)

For R3 & R4 : Mrs.E.Angayarkanni

ORDER

This Writ Petition has been filed for a direction, directing the respondents 1 and 2 to take appropriate action by preventing the respondents 3 and 4 from causing any disturbance to the petitioner in compliance with the Judgment and Decree dated 28.09.2015 passed in O.S.No. 30 of 2013 by the District Munsif Court, Palladam.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. It is seen that there is a civil dispute between the petitioner and the respondents 3 and 4. If the Judgment and Decree passed in O.S.No.30 of 2013 by the District Munsif, Palladam, is violated by the respondents 3 and 4, the petitioner can very well approach the Civil Court for appropriate relief.



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4. That apart, it was an ex-parte decree. Aggrieved by the same, the respondents 3 and 4 filed an application to set aside the Judgement and Decree and it is pending. Further, there is a civil dispute between the petitioner and the respondents 3 and 4 even after obtaining the decree. Therefore, both of the petitioner and the respondents 3 and 4 have to apply for a survey of their respective lands before the authority concerned in the manner known to law. Further, the respondents 1 and 2 cannot interfere with the civil dispute between the petitioner and the respondents 3 and 4 herein.

5. In view of the above, the writ petition is devoid of merits and is liable to dismissed. Accordingly, this Writ Petition stands dismissed.

10.02.2025

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
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G.K.ILANTHIRAIYAN. J,

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To

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

2. The Inspector of Police,
Palladam Police Station,
Palladam, Tiruppur District.

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