



W.P.(MD) No.1278 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.(MD) No.1278 of 2025

Sethuraman

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Pudukottai District.

2.The Inspector of Police,
Ponnamaravathi Police Station,
Pudukottai District.

3.Manivasagam

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the second respondent not to interfere into the civil dispute pending between the petitioner and the third respondent by considering the petitioner's representation dated 22.12.2024.

For Petitioner : Mr.D.S.Haroon Rasheed

For R1 & R2 : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor



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ORDER

WEB COPY This Writ Petition has been filed for the issuance of a Writ of Mandamus directing the second respondent not to interfere in the civil dispute pending between the petitioner and the third respondent, by considering the petitioner's representation dated 22.12.2024.

2. The petitioner inherited the property through his mother. The petitioner, along with his brother Palaniappan and sister Gomathi Lakshi, are the rightful owners of the property in Survey No.240/3. The petitioner's mother was the third wife of the petitioner's father. The petitioner's mother passed away on 02.11.2022. The revenue records are in the name of the petitioner's mother. With the consent of his brother and sister, the petitioner is residing in the property and has obtained an electricity connection in his name.

3. The sons of the petitioner's father's second wife, namely Manickam, Sundaramoorthy, and Manivasagam (the third respondent herein), without any right over the property, are abusing the petitioner and causing threats. The petitioner had constructed a small shed in the said property and wanted a separate electricity connection for it. At that stage,



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the abuse started. The petitioner, therefore, lodged a complaint; however, the second respondent police have not taken any action. Only a C.S.R. No. has been assigned. Further, at the instance of the third respondent, Manivasagam, the Inspector of Police informed the E.B. Authorities not to provide the electricity connection.

4. The learned Additional Public Prosecutor, appearing for the first and second respondents, submitted that the aforementioned Manickam had lodged a complaint against the petitioner, stating that the petitioner has been abusing him and causing life threats to him and others. Furthermore, the petitioner, along with his brother and sister, armed with an iron rod, caused a threat and also broke open a portion of the property belonging to the said Manickam, which he questioned. Hence, a false complaint has been lodged by the petitioner. He further submitted that the Inspector of Police visited the scene of occurrence to investigate the dispute and record the statement. During this time, the petitioner's wife abused the police officials and others. He further submitted that the petitioner not participated in the enquiry, filed this petition seeking a mandamus.



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5. The learned counsel for the petitioner, on instructions, submitted that the petitioner would appear before the second respondent police and give his explanation along with supporting documents.

6. The second respondent police has to conduct the enquiry and complete it. It is made clear that if there is a dispute between the two brothers, i.e., the petitioner and the said Manickam, it is not the requirement of the police to raise any objections to the petitioner obtaining the electricity connection, and no such instruction can be given by the Inspector of Police.

7. The learned Additional Public Prosecutor submitted that the police have not given any instructions and will confine themselves only to the enquiry between the petitioner, the said Manickam, and the third respondent.

8. Recording the above, this Criminal Original Petition stands disposed of.

20.01.2025

Neutral Citation: Yes / No
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- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

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