



W.P.(MD)No.3368 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.02.2025

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THE HON'BLE MR.JUSTICE P.DHANABAL

W.P.(MD)No.3368 of 2025

S.Ismail Meeran

... Petitioner

Vs.

1. The Commissioner of Police
Tirunelveli

2. The Inspector of Police
Pettai Police Station
Tirunelveli

3. Magdoo Gnaniyar Pallivasal
Through its Administrative Secretary
Pettai, Tirunelveli

4. N.Chockalingam

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, seeking a **Writ of Mandamus directing** the respondents 1 and 2 from interfering with the civil dispute and evicting the petitioner from the land in T.S. No.219/2 measuring to an extent of 2 acres on the western side situated at Ward No.3, Block -5, Pettai, Tirunelveli Taluk, Tirunelveli District based on the representation dated 22.11.2024.



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For Petitioner : Mr.H.Arumugam

For Respondents : Mr.M.Sakthi Kumar
No. 1 and 2 Government Advocate(Crl.Side)

ORDER

The prayer sought for in the present writ petition is to direct the respondents 1 and 2 not to interfere with the civil dispute and evicting the petitioner from the land in T.S. No.219/2 measuring to an extent of 2 acres on the western side situated at Ward No.3, Block -5, Pettai, Tirunelveli Taluk, Tirunelveli District based on the representation dated 22.11.2024.

2. According to the petitioner he is in possession and enjoyment of the property in T.S.No.219/2 measuring an extent of 2 acres and the third respondent executed a deed of cultivating tenancy on 25.11.2020, pursuant to the same, the petitioner is in possession and enjoyment of the property. While so, the fourth respondent claiming tenancy right filed a suit in O.S. No.684 of 1993 on the file of the II Additional District Munsif Court, Tirunelveli and the said suit was decreed. Against which



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appeal has been filed in A.S.No.36 of 2015 on the file of the Sub Court, Tirunelveli and the same is also pending. While so, the respondent police are making attempts to take away the property from the petitioner and to hand it over to the third respondent with the consent of the fourth respondent. Therefore he has sent a representation dated 22.11.2024 to the first respondent. The same was received but no action has been taken, hence the present petition has been filed.

3. The learned Government Advocate(Crl.Side) appearing for the respondents 1 and 2 would submit that no any complaint was received by the second respondent in respect of this property and the second respondent never interfered with the possession of the petitioner and they never deal with the dispute in respect of the property and hence this petition has no merits and deserves to be dismissed.

4. Heard both sides and perused the materials available on records.



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5. Since the second respondent represented that no any complaint was received from this petitioner in respect of the property and they never interfered with the dispute in respect of the property it is appropriate to dispose of the petition by recording the submission made by the learned Government Advocate(Crl.side) appearing for the respondents 1 and 2..

6. Recording the submission made by the learned Government Advocate(Crl.Side)that they never interfere with the civil dispute this Writ Petition stands disposed of. No costs.

07.02.2025

NCC : Yes / No

Index : Yes / No

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To

1. The Commissioner of Police
Tirunelveli

2. The Inspector of Police
Pettai Police Station
Tiruneleveli



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3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P.DHANABAL, J.

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