



W.P(MD)No.5707 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2025

CORAM :

THE HON'BLE MR.JUSTICE P.DHANABAL

W.P(MD)No.5707 of 2025

Manikandan

... Petitioner

Vs

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

2. The Additional Superintendent of Police,
Theni District,
Theni.

3. The Deputy Superintendent Of Police,
Aundipatti Division,
Aundipatti,
Theni District.

4. The Inspector of Police,
Kadamalaikundu Police Station,
Kadamalaikundu,
Aundipatti Taluk,
Theni District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the 2nd respondent in anyway interfering with the civil dispute morefully in respect of suit property in O.S.No. 94 of 2021 on the file of the learned District Munsif Court, Aundipati in the light of the order passed in WP(MD).No. 11223 of 2024 and consequently directing the 2nd respondent not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr.K.Rajeshwaran,
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Writ Petition has been filed seeking a direction to the second respondent not to interfere with the civil dispute in respect of suit property in O.S.No. 94 of 2021 on the file of the learned District Munsif Court, Aundipati in the light of the order passed in WP(MD).No.11223 of 2024 and consequently to direct the second respondent not to harass the petitioner under the guise of enquiry.

2.According to the petitioner, he is the owner of the property.



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There is a property dispute pending between the petitioner and one Justin Joseph. A suit in O.S.NO.94 of 2021 is pending before the District Munsif Court, Aundipati, Theni District. The petitioner is in possession and enjoyment of the suit property by way of an oral agreement. In the mean time, the said Justin Joseph attempted to evict the petitioner and lodged a complaint before the fourth respondent and based on the complaint given by the said Justin Joseph, the respondent police attempted to evict the petitioner from the said property. Hence this petition.

3.The learned Additional Public Prosecutor appearing for the respondent police would submit that based on the complaint lodged by the said Justin Joseph an FIR in Crime No.33 of 2024 has been registered and the same is pending. Only for investigation purpose, the respondent police called the petitioner. While so, the petitioner filed this petition alleging that the respondent interfering with the civil dispute. However, no harassment was made as alleged by the petitioner.

4.Recording the submission made by the learned Additional Public Prosecutor that no harassment was made as alleged by the



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petitioner and only for investigation purpose, the respondent police

called the petitioner, this Writ Petition is disposed of.

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Internet :Yes
Index :Yes/No
NCC :Yes/No
LR

To

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

2. The Additional Superintendent of Police,
Theni District,
Theni.

3. The Deputy Superintendent Of Police,
Aundipatti Division,
Aundipatti,
Theni District.

4. The Inspector of Police,
Kadamalaikundu Police Station,
Kadamalaikundu,
Aundipatti Taluk,
Theni District.

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



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P.DHANABAL, J.

LR

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