



W.P(MD)No.6897 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2025

CORAM :

THE HON'BLE MR.JUSTICE P.DHANABAL

W.P(MD)No.6897 of 2025

Padmanathan

... Petitioner

Vs

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

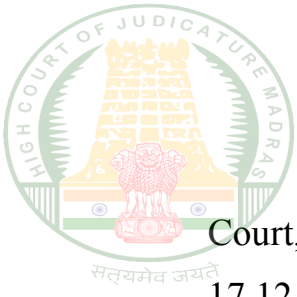
2. The Deputy Superintendent Of Police,
Office of the Deputy Superintendent of Police,
Tiruppattur Taluk,
Sivagangai District.

3. The Inspector of Police,
Thirukoshtiyur Police Station,
Thirukoshtiyur,
Sivagangai District.

4. Manimegalai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 3rd respondent to abstain from interfering in the civil dispute that is already under adjudication in O.S No. 86/2024 on the file of the District Munsif



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Court, Tiruppattur by considering the petitioner's representation dated 17.12.2024.

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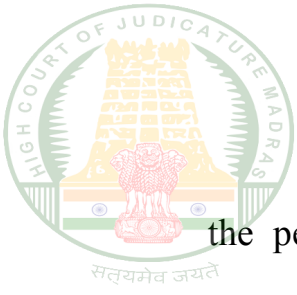
For Petitioner : Mr.A.Robinson,

For R1 to R3 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Writ Petition has been filed seeking a direction to the third respondent to abstain from interfering in the civil dispute that is already under adjudication in O.S No. 86/2024 on the file of the District Munsif Court, Tiruppattur, by considering the petitioner's representation dated 17.12.2024.

2.According to the petitioner, he is the owner of the property in S.No.225/2, Kongarathi Village, Tiruppattur Taluk, Sivagangai District. While so, the fourth respondent often interfering with the petitioner's possession and enjoyment of the property and thereby, he lodged a complaint, dated 17.12.2024 before the third respondent but no action was taken. *Per contra*, the fourth respondent lodged a complaint against



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the petitioner on 18.12.2024 and immediately, the respondent police registered an FIR in Crime No.152 of 2024 as against the petitioner and the same is pending. While so, now the third respondent taking advantage of the same, frequently asked the petitioner to come with documents and also issued summons for appearance with documents. The third respondent is not a competent authority to enquire about the documents and the other things to decide the rights of the parties over the property. Hence this petition.

3.The learned Additional Public Prosecutor appearing for the respondent police would submit that there is a property dispute pending between the parties and thereby, the fourth respondent lodged a complaint. Hence an FIR in Crime No.152 of 2024 was registered and the same is under investigation. The third respondent also issued summons to the petitioner for the purpose of investigation in view of the above said case. In the mean time, the petitioner filed this petition. He would further submit that the third respondent never interfered with the civil dispute between the parties and only for investigation purpose, he called the petitioner by issuing summons.



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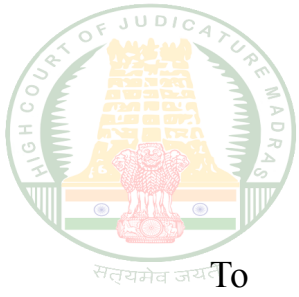
4.Considering the limited scope of the prayer sought for in this petition, this Court, without even issuing notice to the private respondent, is inclined to pass order.

5.Since the prayer of the petitioner is to abstain the third respondent from interfering the civil dispute, the third respondent also denied the allegations levelled by the petitioner and for investigation purpose in respect of Crime No.152 of 2024, the investigation agency called the petitioner for enquiry and summons has been issued, recording the submission made on behalf of the third respondent, the third respondent is directed to consider the petitioner's representation, dated 17.12.2024 within a period of one week in accordance with law.

6.With the above direction, this writ petition is disposed of.

14.03.2025

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



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Sivagangai District.
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Sivagangai District.
3. The Inspector of Police,
Thirukoshtiyur Police Station,
Thirukoshtiyur,
Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

LR

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