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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

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THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

**WP CrI. No. 520 of 2026 &
WPMP CrI. 151 of 2026**

S.Kanmani

..Petitioner

Vs

1. The Superintendent of Police (North)
Mettupalayam Police Station,
Oulgarat,
Puducherry - 605 009.
2. The Inspector of Police,
Dhanvanthri Nagar Police Station,
Gorimedu,
Puducherry - 605 006.
3. Anandhi

..Respondents

To issue a writ in the nature of Mandamus or any other writ or order or direction, directing the respondents to refrain from interfering in the civil dispute pending on the file of the III Additional District Judge, Principal District Court Establishment, Puducherry vide O.S.No.69 of 2020 in any manner and further permit this Petitioner to participate in the enquiry conducted by the 1st and 2nd respondents based on the 3rd respondents representation dated 24.11.2025.

For Petitioner : Mr.C.Rajakumar

For Respondents : Mr.M.V. Ramachandra Murthy,
Public Prosecutor (Puducherry)
Assisted by
Mr.M.Thamizhmani For R1 & R2



ORDER

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This petition has been filed seeking a direction to the respondents Police to refrain from interfering with the civil dispute pending before the III Additional District Judge, Principal District Court Establishment, Puducherry in O.S.No.69 of 2020, and further to permit the petitioner to participate in the enquiry conducted by the 1st and 2nd respondents based on the 3rd respondent's representation dated 24.11.2025.

2. The petitioner submitted a representation on 03.02.2026 requesting removal of the name board placed in Shop No.124/2, permission to open the said shop and continue her business, and registration of a case against the third respondent, Anandhi.

3. A perusal of the representation reveals that the petitioner had earlier filed a civil suit in O.S.No.69 of 2020, which is pending trial before the learned III Additional Civil Judge, Puducherry. Initially, five persons were arrayed as defendants. Subsequently, the petitioner filed I.A.No.279 of 2022 to implead six others, wherein the third respondent herein was impleaded as the eighth respondent.



4. It is further submitted that the third respondent purchased property measuring 1500 sq. ft. along with an RCC raft building on 28.07.2021 and has been running a computer service centre therein. According to the petitioner, since the civil suit seeks to set aside the settlement deed and claim a share in the property, any subsequent sale deed executed by one of the defendants would be hit by the doctrine of *lis pendens*, and hence, Anandhi cannot claim any right. The petitioner lodged a complaint, but no action was taken. Thereafter, the present writ petition has been filed.

5. The learned Additional Public Prosecutor opposed the petition, contending that the petitioner had initiated a partition suit seeking to set aside settlement deeds bearing Nos.3861/2014 and 3860/2014, which is still pending. Though the petitioner filed the impleading petition to implead the additional defendants, she subsequently withdrew the impleading petition as against Anandhi.

6. Meanwhile, Anandhi, being in possession of the property and running “Swastic Computers,” lodged a complaint alleging that the petitioner along with others trespassed into her shop, caused damage, and misappropriated articles worth Rs.75,00,000/-. CCTV recordings and other material evidence were produced. Upon verification, the respondents registered a case in Crime No.174



of 2025 under Section 189(2), 329(3), 305(a), 324(5), 296(b), 351(2) & 190 of BNS against the petitioner and eight others.

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7. Thereafter, Anandhi filed W.P.CrI.No.1539 of 2025 seeking consideration of her representation dated 24.11.2025. This Court directed the respondents to provide police protection and take appropriate action if a prima facie case was made out. Subsequently, on 21.01.2026, another case in Crime No.23 of 2026 was registered against the petitioner and others for further acts of trespass and damage. Investigation is in progress.

8. In these circumstances, if the petitioner is aggrieved by the alleged encroachment or possession of the property by Anandhi, the proper remedy lies before the civil court where the suit is already pending. The police cannot be drawn into adjudicating civil disputes between the petitioner and the third respondent.

9. Considering the fact that the civil suit is pending, two criminal cases are already registered against the petitioner and entertaining the petitioner's representation at this stage would amount to foreclosing the relief sought in the civil suit, this Court finds no merit in the writ petition.



10. With the above observations, this Petition is dismissed. No costs.

Consequently, the connected miscellaneous petition is closed.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

To

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WP CrI. No. 520 of 2



M.NIRMAL KUMAR, J.

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