



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.11848 of 2017

WEB COPY

T.Karuppaiah

... Petitioner

-Vs-

1.The Superintendent of Police,
Ramanathapuram District.

2.The Inspector of Police,
Kelathuval Police Station,
Ramanathapuram District.

3.S.Muniyakkal

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the second respondent not to harass the petitioner by insisting the petitioner not to put up a house in his Patta land in Survey No.204/29, at Melathuval Village, Krishnapuaram, Kelathuval Post, Muthukulathur Taluk, Ramanathapuram District.

For Petitioner : Mr.D.Sasikumar

For R-1 & R-2 : Mr.K.Anbarasan,
Government Advocate(Crl. Side)

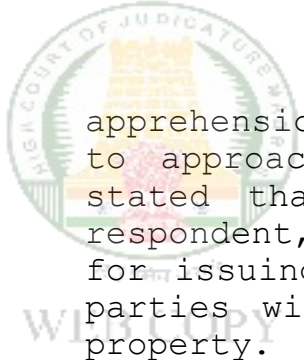
O R D E R

This Criminal Original petition is filed for a direction to the second respondent not to harass the petitioner by insisting the petitioner not to put up a house in his Patta land in Survey No.204/29, at Melathuval Village, Krishnapuaram, Kelathuval Post, Muthukulathur Village, Ramanathapuram District.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Criminal Side) appearing for the respondents 1 and 2.

3. The petitioner states that in his house site plot in Survey No.204/29 for which he has got Patta he started construction work. However, it is stated that the third respondent herein has instigated the second respondent to prevent the construction. It is further stated that the third respondent has no right over the house site plot and that she has no revenue records or any other documents to show that she has got some right.

<https://hcservices.courts.gov.in/hcservices/> 4. Having regard to the nature of dispute, this Court cannot give any direction as such the direction by this Court is likely to affect the rights of individuals. Having regard to the facts and



apprehension of the petitioner, it is appropriate for the petitioner to approach the civil Court for an appropriate relief. Having stated that the construction activity is opposed by the third respondent, this Court is not inclined to entertain this petition for issuing a direction which would even decide the rights of the parties with regard to the nature of right and enjoyment of the property. Hence, the Criminal Original petition is dismissed. However, the petitioner is given liberty to approach the civil Court for any appropriate relief.

Sd/-

Assistant Registrar(CRL.SIDE)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police, Ramananathapuram District.

2.The Inspector of Police, Kelathuval Police Station,
Ramanathapuram District.

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

+1cc to Mr.D.SASIKUMAR Advocate in SR. No.77402

PMU

JS/SV.MMS/SAR.2/18.09.2017/2P-5C

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