



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2017

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.11962 of 2017

WEB COPY

K.P.Ayyar

... Petitioner

-Vs-

1. The Superintendent of Police,
Madurai District, Madurai.
2. Tmt.Vasanth,
The Inspector of Police,
Anti Land Grabbing Special Cell,
Madurai.
3. The Inspector of Police,
Sedapatti Police Station,
Madurai District.
- 4.Thavamani
- 5.Jeyaprakash

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the first respondent herein to direct the 2nd and 3rd respondents not to interfere in civil dispute and follows the due process of laws.

For Petitioners : Mr.S.Sathya Chidambaram
For R1 and R3 : Mr.K.Anbarasan,
Government Advocate(Crl. side).

ORDER

This Criminal Original Petition has been filed for a direction to the first respondent to direct the second and third respondents not to interfere in the civil dispute.

2.Heard the learned Counsel appearing for the petitioner and the learned Government Advocate(Criminal side) appearing for the first and third respondents.

3.The case of the petitioner is that the petitioner has purchased a property comprised in S.No.117/1B measuring an extent of 15 cents situated at Kallapatti Village, Sindupatti Sub Division, Periyar Taluk. It is admitted that the property was originally belongs to one Rasu Thevar. It is further stated by the



petitioner that the said Rasu Thever executed a gift settlement deed in favour of his daughter, namely, one Gandhiammal vide registered settlement deed dated 08.05.2008. It is on the basis of the said settlement deed, the said Gandhiammal has executed a sale deed in favour of the petitioner.

4. Further it is stated that the brother of Gandhiammal, by name, Thavamani has given a complaint, stating that the settlement deed has been forged. On the basis of the complaint given by the third respondent, an enquiry was conducted.

5. The learned Government Advocate, on instructions, submitted that the said Gandhiammal, has admitted that the signature in the settlement deed has been forged. Since the petitioner's vendor has admitted her guilt and gave a statement before the police that she would redeem the property by settling the entire consideration received from the petitioner, the case is not a pure civil dispute.

6. Hence this Court is not inclined to entertain this petition. The second respondent is directed to hold enquiry and file a charge sheet after making a thorough investigation.

7. Accordingly, the Criminal Original petition is dismissed.

Sd/-

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Madurai District, Madurai.
2. The Inspector of Police,
Anti Land Grabbing Special Cell,
Madurai.
3. The Inspector of Police,
Sedapatti Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Cmr

MK/SV MMS/SAR-2/25.09.2017/2P/5C