



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P. (MD) No.12705 of 2017

WEB COPY

M. Thangaraj Pandian

: Petitioner

-Vs-

1.The Superintendant of Police,
Thirunelveli District,
Thirunelveli.

2.The State. Rep. by
The Inspector of Police,
Uthumalai Police Station,
Uthumalai,
Thirunelveli District.

3.Muthudurai @ Navaneetha Krishnathevar

4.Anantharaman

: Respondents

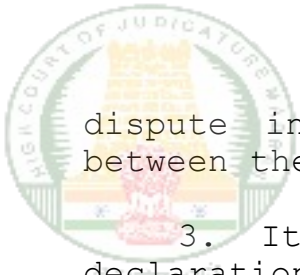
PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent not to interfere in the civil dispute with regard to the determination of the title or possession as and when the same in the subjective matter of a civil suit bearing O.S.No.266 of 2017 on the file of the learned District Munsif, Tenkasi, Thirunelveli District between himself and the respondents 3 and 4 forthwith in respect of the property bearing Natham Survey No.314/10 in which 0.01.74 Sq.mt. and 0.00.42 sq.mt in S.No.314/11 situated at Kurichampatti Village, Uthumalai Via, Thirunelveli District.

For Petitioner	: Mr.S. Palani Velayutham
For Respondents 1 and 2	: Mr.K.S.. Durai Pandian
	Additional Public Prosecutor
For Respondents 3 & 4	: Mr.V. Sasikumar

O R D E R

This petition is filed for issuing a direction to the second respondent not to interfere in the civil dispute with regard to determination of title and possession of the property which is a subject matter of the civil suit in O.S.No.266 of 2017 on the file of the learned District Munsif, Tenkasi, Thirunelveli District.

2. The petitioner states that he is the owner of the property
<https://hcservices.ecourts.gov.in/hcservices/> extent of 0.01.74 sq. meter in S.No.314 /10 and in S.No.314/11 measuring an extent of 0.00.42 Sq.mt at Kurichampatti Village, Uthumalai Via, Thirunelveli District and that there is a



dispute in respect of the title and enjoyment of the property between the petitioner and some third parties.

3. It appears that the petitioner has filed a suit for declaration of his title and consequential injunction. The said suit itself was filed only in July 2017. The petitioner has also lodged a complaint against the respondents 3 and 4 herein stating that they are threatening the petitioner. The complaint against the respondents 3 and 4 does not go well with the averments in the plaint when the relief was claimed as against one Maruthupandian and Vellaichamy. After giving a complaint on 31.07.2017, the petitioner has approached this Court in the above Criminal Original Petition seeking a direction to the second respondent not to interfere in the civil dispute. The present petition is mischievous and unwarranted. It appears that the petitioner wants to fish evidence or has approached this Court for extraneous reasons.

4. Having regard to the nature of the complaint given by the petitioner it can be seen that respondents 3 and 4 have not given any complaint as against the petitioner. They are not parties in the suit.

5. In such circumstances, this Court find no bonafides in this petition and hence, this Court is not inclined to entertain this petition. Accordingly, the Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(RECORD)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendant of Police,
Thirunelveli District,
Thirunelveli.

2.The State. Rep. by
The Inspector of Police,
Uthumalai Police Station,
Uthumalai, Thirunelveli District.

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

+1cc to M/s. V.SASI KUMAR Advocate in SR. No. 81558

+1cc to M/s. S.PALANIVELAYUTHAM Advocate in SR. No. 81849

TRP

JS/GT/SAR.1/30.10.2017/2P-6C