



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:09.01.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P. (MD) No.211 of 2018

V.Ramesh Kumar

... Petitioner

-Vs-

1.The Superintendent of Police,
Tanjore District,
Tanjore.

...1st Respondent

2.Mahadevan,
Inspector of Police,
East Police Station,
Kumbakonam,
Tanjore District.

...2nd Respondent

3.Arokiyasamy,
Writer attached with the
Office of Deputy Superintendent of Police,
Kumbakonam,
Tanjore District.

...3rd Respondent

(Name of the Respondents 2 and 3
deleted as per this order dated
09.01.2018 in CRL.O.P. (MD) No.211 of 2018)

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to direct the second and third respondents not to interfere in the civil subject matter pending as O.S.No.447 of 2017 before the learned Principal District Munsif, Kumbakonam, Tanjore District, by causing interference in to possession and the peaceful running of petitioner's Tea Stall in the name and style of Ambi Tea Stall at Shop No.4, Mahamagakulam Melkarai, Kumbakonam, Tanjore District.

For Petitioner : Mr.R.Anand

For 1st Respondent : Mr.A.P.G.Ohm Chairma Prabhu,
Government Advocate(Crl. Side).

**ORDER**

This Criminal Original petition has been filed to direct the second and third respondents not to interfere in the civil subject matter pending in O.S.No.447 of 2017 on the file of the learned Principal District Munsif, Kumbakonam, Tanjore District, by causing interference with the peaceful possession and running of petitioner's Tea Stall in the name and style of Ambi Tea Stall at Shop No.4, Mahamagakulam Melkarai, Kumbakonam, Tanjore District.

2.The learned counsel for the petitioner has also filed a memo to delete the name of the respondents 2 and 3. The memo is recorded, The registry is directed to make necessary entries in the main petition.

3.The learned counsel for the petitioner submitted that a dispute is pending between the Hindu Religious and Charitable Endowments Department and the petitioner. Hence, the petitioner has filed a suit in O.S.No.447 of 2017 on the file of the learned Principal District Munsif, Kumbakonam, Tanjore District, seeking a relief of permanent injunction restraining the Hindu Religious and Charitable Endowments Department and when that suit is pending, the respondents second and third came to the petitioner's shop on 30.12.2017 and demanding to vacate the shop and hand over the key and hence, the petitioner filed this present petition before this Court.

4. The learned Government Advocate (Crl.side) has submitted that no such occurrence has taken the place. He further submitted that the second and third respondents have not received any complaint from the Hindu Religious and Charitable Endowments Department and hence, the question of harassment to the petitioner does not arise.

5. Recording the aforesaid submissions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Principal District Munsif,
Kumbakonam.

<https://hcservicescourtsupplieservices>
2. The Superintendent of Police,
Tanjore District,
Tanjore.



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

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VB/KKR/SAR2/25/01/2018/3P/4C

CRL.O.P. (MD) No.211 of 2018
09.01.2018