



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P. (MD) No.2907 of 2018

1.Dr.R.Sethuraman
2.Dr.S.Vijayalakshmi

... Petitioners

-vs-

1. The Commissioner of Police,
Madurai City, Madurai.

2. The Inspector of Police,
B-4 Keeraithurai Police Station, (L&O)
Madurai.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the second respondent to register a case on the basis of the complaint of the petitioners dated 15.01.2018 and 17.01.2018.

For Petitioners : Mr.TCS.Thillainayagam

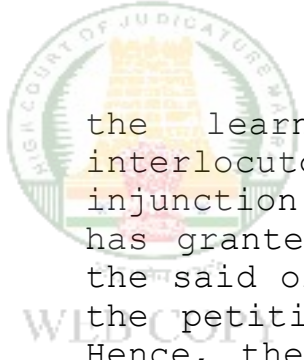
For Respondents : Mr.Prabhu Ramachandran
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the second respondent to register a case based on the complaint given by the petitioner dated 15.01.2018.

2.Heard Mr.TCS.Thillainayagam, learned counsel appearing for the petitioners and Mr.Prabhu Ramachandran learned Government Advocate (Crl.Side) appearing for the respondents.

3.The learned counsel appearing for the petitioners has submitted that the petitioners are owners of the property, measuring about 40 cents, situated in Survey No.6/2A, at Villapuram, Madurai District. He has further submitted that since the proposed accused persons tried to interfere in the peaceful possession and enjoyment of the petitioner's above said property, they have filed a civil suit in O.S.No.535 of 2015 on the file of



the learned Principal Sub-Court, Madurai and also field interlocutory application in I.A.No.386 of 2015, seeking interim injunction. He has further submitted that the learned Sub-Judge has granted interim injunction on 09.06.2015 and in violation of the said order, the proposed accused persons again trespassed into the petitioner's property and also criminally intimidated them. Hence, the petitioners have lodged a complaint before the second respondent on 15.01.2018 and 17.01.2018, but so far, no action has been taken.

4.The learned Government Advocate (Crl.Side) appearing for the respondents has submitted that after receipt of the complaint, enquiry has been conducted and the same was closed on 10.02.2018, as the dispute is civil in nature.

5.Admittedly, the petitioners got interim injunction from the Civil Court. If the proposed accused persons have disobeyed the said order, then the petitioners have to file a petition under Order 39 Rule 2A of CPC, before the concerned civil court. The second respondent is directed to furnish a copy of the closure report to the petitioner within a period of one week from the date of receipt of a copy of this order.

6.With the aforesaid observations, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Madurai City, Madurai.
2. The Inspector of Police,
B-4m Keeraithurai Police Station, (L&O)
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to M/S.T.C.S.THILLAINAYAGAM, ADVOCATE IN SR No.546274

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