



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2018

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.3786 of 2018

WEB COPY

Alagan

... Petitioner

-vs-

1.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Sanarpatti Police Station,
Dindigul District.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the first respondent to direct the second respondent not to interfere into the civil dispute of the petitioner in respect of the land in S.No.512 in Patta No.559 measuring about 11 acre 48 cents of Kanavaipatti Village, Dindigul District by considering the petitioner's representation dated 23.02.2018.

For Petitioner : Mr.A.Arul Jenifer

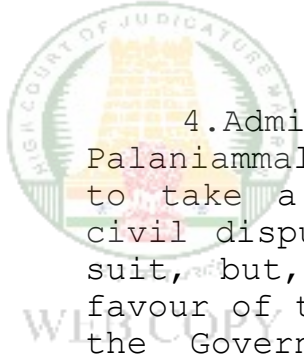
For Respondents : Mr.Prabu Ramachandran
Government Advocate (Crl.Side)

ORDER

This petition has been filed to direct the first respondent to direct the second respondent not to interfere into the civil dispute of the petitioner in respect of the land in S.No.512 in Patta No.559 measuring about 11 acre 48 cents of Kanavaipatti Village, Dindigul District by considering the petitioner's representation dated 23.02.2018.

2.The learned counsel for the petitioner has submitted that one Palaniammal trying to trespass into the petitioner's land and hence, the petitioner has filed a suit in O.S.No.41 of 2017 on the file of the District Munsif Court, Dindigul and the said suit is still pending. He further submitted that the fact remains so, the said Palaniammal gave a false complaint against the petitioner herein and based on the said complaint, the second respondent is harassing the petitioner.

3.The learned Government Advocate has submitted that the said Palaniammal has not lodged a complaint against the petitioner and it is only the petitioner herein, who has filed a complaint against the said Palaniammal and the same is still pending.



4. Admittedly, the petitioner gave a complaint against the said Palaniammal and that being so, it is not open to the petitioner to take a plea that the police should not interfere in the civil dispute. Further, it appears that the petitioner has filed a suit, but, the civil suit interim order has not been granted in favour of the petitioner. Further, as per the representation made by the Government Advocate no complaint is received against the petitioner herein. Taking into consideration all the aforesaid facts, the second respondent is directed to enquire the matter and if the enquiry reveals any cognizable offence then he has to register a case and proceed further in accordance with law. In case the enquiry reveals only a civil dispute then he has to direct the parties to approach the Civil Court and get appropriate remedy.

5. With the above observations, this Criminal Original Petition is disposed of.

Sd/
Assistant Registrar (AD-II)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Dindigul District.

2. The Inspector of Police,
Sanarpatti Police Station,
Dindigul District.

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

+1cc to Mr. A. Arul Jenifer, Advocate, SR.No.56984

CRL.O.P. (MD) No. 3786 of 2018
21.03.2018

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