

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.5644 of 2019

A.Selvaraj

.. Petitioner

Vs.

The Assistant Commissioner of Police,
Anti-Land Grabbing Cell,
Commissioner Office,
Coimbatore - 641 018.

... Respondent

Prayer:

Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the respondent not to harass the petitioner and allow the petition.

For Petitioner : Mr.N.Sankarasabari

For Respondent : Mr.C.Raghavan,
Government Advocate (Crl.side)

O R D E R

This Criminal Original Petition has been filed to direct the respondent not to harass the petitioner under the guise of enquiry.

2.The petitioner is the absolute owner of the property comprised in Survey No.691(T.S.No.23) through a registered sale deed dated 20.12.2018. While so, one Mr.R.Ramachandran, who is the defacto complainant herein, attempted to trespass and tries to take possession of the property, which is in possession and enjoyment of the petitioner. The defacto complainant has lodged a complaint before the respondent police and after enquiry, the respondent police convinced and closed the complaint. However, the defacto complainant herein is continuously giving complaints before the respondent police with an intention to grab the petitioner's property. The respondent police also issues summon calling upon the petitioner for an enquiry. Hence, the petitioner has filed the present petition with the aforesaid prayer.

3.The learned Additional Public Prosecutor submitted that, it is purely a civil dispute between the petitioner and the defacto complainant. He further submitted that the police cannot interfere with the civil matters especially with the dispute is in between two private persons.

4.It is seen that already the police officials in Singanallur Police Station have enquired into this matter and closed the complaint. However, again the defacto complainant has lodged a complaint. It seems that the dispute is purely civil in nature. It is repeatedly held that the Police cannot interfere with the civil matters especially when the dispute is between two private persons.

5.However, this Court without going into the merits of the case, directs the respondent to conduct enquiry with the counter part and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of copy of this order.

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

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Assistant Commissioner of Police,
Anti-Land Grabbing Cell,
Commissioner Office, सत्यमेव जयते
Coimbatore - 641 018.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.N.Sankarasabari, Advocate, S.R.No.22186

Cr1.O.P.No.5644 of 2019

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cs/05/04/2019