

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2019

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.5985 of 2017
and Crl.M.P.Nos.4479, 4480 & 4481 of 2017

Ravi

... Petitioner

-Vs-

1. The District Collector
Tiruppur District,
Tiruppur.
2. The Commissioner of Police,
Tiruppur City,
Tiruppur.
3. The District Revenue Officer,
Tiruppur,
Tiruppur District.
4. The Revenue Divisional Officer,
Tiruppur,
Tiruppur District.
5. The Thasildar
Tiruppur Taluk (South)
Tiruppur District.
6. The Inspector of Police,
North Police Station,
Thiruppur District,
Thiruppur.
7. N.Muthusamy
8. M.Balamani
9. C.Samiyappan
10. S.Vasanthamani

.. Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to forbear the respondents from taking any coercive action till the disposal of the suit in O.S.No.427 of 2016 which is pending on the file of District Munsiff Court, Thiruppur.

For Petitioner : Mr.S.Rajanikanth
For R1 to R6 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

For R7 to R10 : Mr.N.R.Elango
Senior counsel for
Mr.MA.P.Thanagvel

ORDER

This Criminal Original Petition has been filed to forbear the respondents from taking any coercive action till the disposal of the suit in O.S.No.427 of 2016 which is pending on the file of District Munsiff Court, Thiruppur.

2. The relief as sought for by the petitioner cannot be entertained by this Court. This is the third round of litigation before this Court. On earlier two occasions, this Court has passed an order, directing the parties to specifically workout their remedy before the appropriate Civil Court. Useful reference can be made in this regard to the order passed by this Court in W.P.No.34490 of 2014, dated 07.12.2015 and W.P.No.20134 of 2015 dated 21.06.2016.

3. It is an admitted case that the petitioner has now instituted a Civil suit before the Competent Civil Court. The petitioner has to establish his right and title over the property before the said Court and the petitioner cannot be allowed to parallelly contest the proceedings before this Court in exercise of its Jurisdiction under Section 482 of Cr.P.C. This Court in exercise of its jurisdiction under Section 482 of Cr.P.C, cannot go into disputed questions of the fact and more particularly where it involves his right, title and possession of the property.

4. In view of the above, this Court is not inclined to entertain this Criminal Original petition. In the result, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

msrm/ub

To

1. The District Munsiff,
Thiruppur.
2. The District Collector
Tiruppur District,
Tiruppur.
3. The Commissioner of Police,
Tiruppur City,
Tiruppur.
4. The District Revenue Officer,
Tiruppur,
Tiruppur District.
5. The Revenue Divisional Officer,
Tiruppur,
Tiruppur District.
6. The Thasildar
Tiruppur Taluk (South)
Tiruppur District.
7. The Inspector of Police,
North Police Station,
Thiruppur District,
Thiruppur.
8. The Public Prosecutor,
High Court of Madras,
Madras.

+1cc to Mr.MA.P.Thanagvel, Advocate SR.No.56649

+1cc to Mr.S.Rajanikanth, Advocate SR.No.56005

Crl.O.P.No.5985 of 2017
and Crl.M.P.Nos.4479, 4480 & 4481 of 2017

BS(CO)
GMY(05/08/2019)