



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**

Crl.O.P. (MD) No.10009 of 2019

M.Subbiah

... Petitioner

Vs.

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

2.The Inspector of Police,
Thiruchuli Police Station,
Thiruchuli.

3.The Manager,
Vishnu Suriya Blue Metals,
Puliyuran, Aruppukottai Taluk,
Virudhunagar District.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent not to harass the petitioner under the guise of an enquiry relating to the petitioner land of bearing S.No. Situated at 78/8, 78-A and nearby railway land at Thenpalai Village, Aruppukottai Taluk, Virudhunagar District.

For Petitioner	:	Mr.R.Murugappan
For R1 and R2	:	Mr.K.Suyambulinga Bharathi Government Advocate (Crl.Side)

ORDER

This petition has been filed seeking direction to the second respondent not to harass the petitioner under the guise of enquiry.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the official respondents. Since no adverse order is going to be passed, notice to the third respondent is dispensed with.

3. The grievance of the petitioner is that the third respondent is running a crusher quarry and stone quarry and he is taking his vehicle through the petitioner's land in Survey No.78/8 and 78/8A situated at Aruppukottai Taluk, Virudhunagar District, thereby causing noise pollution in that area. Hence, the petitioner has given a complaint against the third respondent. The second



respondent instead of taking action against the third respondent, is harassing the petitioner under the guise of enquiry. Hence, the petitioner has filed the present petition.

4. Today, when the matter is taken up for hearing, the learned Government Advocate (Crl.Side), on instructions, would submit that a complaint has been made stating that the petitioner has put up a fence in a public road. With regard to the same, enquiry has been conducted by the second respondent. He would further submit that the second respondent police has not harassed the petitioner.

5. The submission made by the learned Government Advocate (Crl.Side) is recorded. Considering the fact that the enquiry on the complaint lodged against the petitioner is pending, the respondent police is directed to conduct enquiry in accordance with law and on enquiry, if it is found that the dispute prevailing between the parties is of civil nature, then the respondent police is directed not to interfere with the same. During enquiry, there shall not be any harassment to the petitioner. With these directions, this criminal original petition is disposed of.

Sd/-

Assistant Registrar(AS)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The District Superintendent of Police,
Virudhunagar District, Virudhunagar.
- 2.The Inspector of Police,
Thiruchuli Police Station,
Thiruchuli.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.MURUGAPPAN, Advocate (SR-75645[F] dated 17/07/2019)

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JM/26.07.2019/2P-5C