



BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

DATED: 14.10.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.4032 of 2019

R.Raja

... Petitioner

Vs

1.The District Collector,
Tuticorin District.

2.The Tahsildar,
Srivaikundam Taluk,
Tuticorin District.

3.The Executive Officer,
Eral Panchayat Union,
Tuticorin District.

4.The Inspector of Police,
Eral Police Station,
Tuticorin District.

5.Saminathan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the respondents 1 to 4 to take action in accordance with law on the petitioner's complaint dated 06.01.2018 within the time stipulated by this Court.

For Petitioner : Mr.R.Jegadeeswaran

For Respondents : Mr.K.Suyambulinga Bharathi,
G.A.(Crl. Side) for RR1 to 4

O R D E R

This petition has been filed to direct the respondents 1 to 4 to take action in accordance with law on the petitioner's complaint dated 06.0.2018 within the time stipulated by this Court.

2.Heard both sides.

3.It is seen that the petitioner was permitted to use the pathway through the land comprised in S.No.470/64 belong to the 5th respondent. However, now the 5th respondent refused to permit him to enter into his land and put up a compound wall. In this regard,



civil suits are pending in O.S.NO.146 of 2017 and 6 of 2018 on the file of the District Munsif Court, Srivaikuntam.

4.It is also seen from the report submitted by the 3rd respondent that in the complaint alleged by the petitioner dated 06.01.2018, it is stated that the civil suits are pending in respect of the same pathway and the petitioner tried to give criminal colour on the civil suits between the parties and hence, the said complaint was closed.

5.Considering the said facts and circumstances of the case, the direction sought for in this petition cannot be granted, since the complaint lodged by the petitioner dated 06.01.2018 has already been considered and rejected by the 3rd respondent by order dated 09.04.2019 and accordingly, this criminal original petition is dismissed.

Sd/-

Assistant Registrar (AD I)

// True Copy //

Sub Assistant Registrar(CS)

Arul
To

- 1.The District Collector,
Tuticorin District.
- 2.The Tahsildar,
Srivaikundam Taluk,
Tuticorin District.
- 3.The Executive Officer,
Eral Panchayat Union,
Tuticorin District.
- 4.The Inspector of Police,
Eral Police Station,
Tuticorin District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CRL.O.P (MD) No.4032 of 2018
14.10.2019

_KK/SAR/24.10.2019/2P-6C/