

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.14773 of 2020

T.Antony Jayaraj,
Aged 37 years,
S/o.Thomas,
No.200/5 Kannaki Street, Sadanandapuram,
New Perungalathur Chennai-63.

... Petitioner

Vs.

1.State of Tamilnadu rep by the Inspector of Police,
Peerkankaranai P S,
Chennai.

2.Uma,
Aged 37 years,
W/o. Murugam,
No.201/5 Kannaki Street,
Sadanandapuram,
Peerkankaranai, Chennai-63.

3.The Commissioner of Police,
Greater Chennai,
Egmore, Chennai-8

... Respondents

PRAYER: Criminal Original Petition filed under Section 482
Cr.P.C. praying to direct the first respondent police for not
interfering in the Civil dispute pending between the petitioner
and the second respondent in the matter of O.S.No.75 of 2020
before the learned District Munsif Court at Chengalapattu.

For Petitioner : Mr.K.Perumal

For Respondents: Mr.S.Karthikeyan

Additional Public Prosecutor

ORDER

This petition has been filed seeking for a direction
directing the first respondent not interfering the civil dispute
pending between the petitioner and the second respondent herein.

2.The learned counsel appearing for the petitioner would submit that there is a dispute between the petitioner and the second respondent in respect of the property. Already a suit in O.S.No.75 of 2020 is pending between the petitioner and the second respondent on the file of the learned District Munsif Court, Chengalpet. In the meanwhile, the second respondent lodged a complaint wherein it is stated that the petitioner is creating problem frequently. The petitioner has lodged a complaint against the second respondent and the same is pending for enquiry. Without conducting enquiry on his complaint, the first respondent is now harassing the petitioner and interfering with the civil dispute pending between the petitioner and the second respondent based on the complaint lodged by the second respondent. Hence, the petition filed for aforesaid prayer.

3.The learned Additional Public Prosecutor appearing for the first and third respondents would submit that on receipt of the complaint from the second respondent, he was issued C.S.R.No.309 of 2020. Thereafter, the first respondent conducted detailed enquiry, after issuing notice to the petitioner and the same was also closed. As of now, no complaint is pending on the file of the first respondent either from the petitioner or from the second respondent.

4.Considering the above submissions, no complaint is pending as against the petitioner and no enquiry is also pending as against the petitioner on the complaint lodged by the second respondent. However, the first respondent has no role to play in the civil dispute pending between the petitioner and the second respondent and as such, 1st respondent shall not interfere with, except if any crime is committed by the petitioner as well as the second respondent herein

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

सत्यमेव जयते

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

WEB COPY

vsn

To

1.The District Munsif Court, Chengalpet

2.The Commissioner of Police,
Greater Chennai,
Egmore, Chennai-8

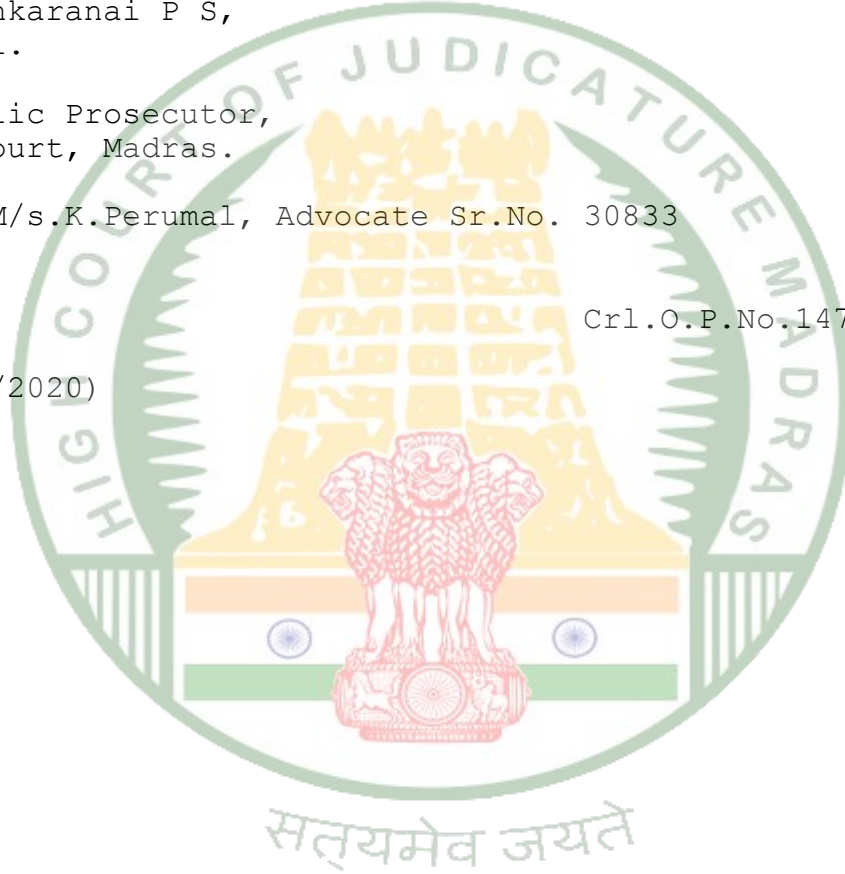
3.The Inspector of Police,
Peerkankaranai P S,
Chennai.

4.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.K.Perumal, Advocate Sr.No. 30833

PP (CO)
RMP (29/10/2020)

Cr1.O.P.No.14773 of 2020



WEB COPY