



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2020

CORAM:

THE HONOURABLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.(MD) No.1386of 2020

M.Ayyappan

...Petitioner

Vs.

1. The Superintendent of Police
Theni District

2. The Inspector of Police
Highways Police Station
Theni District

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondent police not to harass the petitioner and interfere in the peaceful activities of the petitioner.

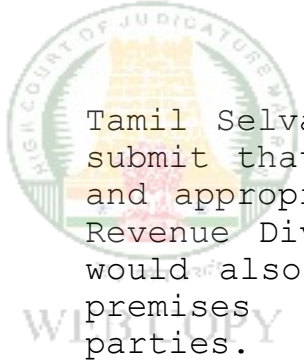
For Petitioner	:	Mr.RM.Arun Swaminathan
For Respondents	:	Mr.S.Chandrasekar
No.1 and 2		Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to direct the respondent police not to harass the petitioner and interfere in the peaceful activities of the petitioner.

2. The learned counsel appearing for the petitioner submits that petitioner is running a home stay in the name and style of "Ayyappan Megamalai Home Stay for the past few years and he had appointed one Tamilan @ Tamilselvan to manage the day to day affairs of the resort. Since there was misappropriation of funds and mismanagement the petitioner terminated Gunasekar from work. Aggrieved by the termination the said Tamilan @ Tamilselvan started giving numerous trouble to the petitioner and his business and started constructing building in front of the petitioner's property and encroached the private pathway to the resort as well as the public pathway with the help of political persons and attempting to usurp the property belonging to the petitioner. He would also submit that the respondent started encroaching the property and trying to evict the petitioner by force. He would also submit that the premises have been locked by the respondent police and the keys are taken away.

3. The learned Additional Public Prosecutor would submit that in respect of dispute between the petitioner and the said Tamilan @ Tamilselvan a case has been registered by the respondent police in Crime No.01 of 2020 by the Highways Police, Theni District under Section 145 Cr.P.C and the matter has been referred to the Executive Magistrate for appropriate action on 06.01.2020. The petitioner and his men were arrayed as 'A' Party and the Tamilan @



Tamil Selvan and others were arrayed as 'B' party. He would also submit that the respondent police have not harassed the petitioner and appropriate action is being taken by the Executive Magistrate/Revenue Divisional Officer, Periyakulam in accordance with law. He would also submit that the respondent police have not locked the premises and they have not interfered in the dispute between the parties.

4. Recording the same, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police
Theni District

2. The Inspector of Police
Highways Police Station
Theni District

3. The Additional Public Prosecutor
Madurai Bench of Madras High Court

+1 CC to M/s.RM.ARUNSWAMINATHAN, Advocate (SR-3782[F]

Cr1.O.P.(MD) No.1386 of 2020
29.01.2020

SMA/13/02/2020/2P/5C