



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.11364 of 2020

WEB COPY

V.Mani

... Petitioner

Vs

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

2. The Inspector of Police,
Gangaikondan Police Station,
Tirunelveli District.

3. Murugesh

4. Kaleeswari

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the 2nd respondent not to harass the petitioner to vacate the residential house infavour of the 4th respondent and restrain them from misusing their official capacity in the property dispute against the senior citizen and his family.

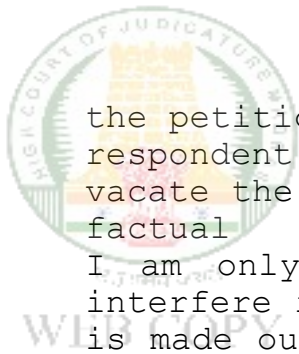
For Petitioner : Ms.K.Abiya
For R1 & R2 : Mr.V.Neelakandan
Additional Public Prosecutor.

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first and second respondents.

2.The petitioner is said to have been given a complaint against his son/third respondent herein. According to the petitioner, the third respondent has fraudulently obtained a settlement deed from the petitioner. Based on the same, the third respondent has sold the property to the fourth respondent. The specific allegation of the petitioner is that the second respondent is compelling the petitioner to vacate the property in question.

3.It is only the petitioner who has given a complaint against his son. The same is being enquired into. The second respondent is directed to conclude the enquiry within a period of two weeks. If



the petitioner is actually residing in the property in question, the respondent police are restrained from compelling the petitioner to vacate the same. I make it clear that I have not given any specific factual finding as regards the petitioner's possession. I am only making it clear that the second respondent will not interfere in the civil dispute. If of course any cognizable offence is made out in the petitioner's complaint, the second respondent is obliged to register an FIR.

4. With this direction, the criminal original petition is disposed of.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ias

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

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

+1 CC to M/s.K.ABIYA, Advocate (SR-20368[F] dated 16/10/2020)

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BK(CO)
CS(02.11.2020) 2P 5C