



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.11.2020**

CORAM:

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

Crl.O.P. (MD)No.12181 of 2020

P.Nagararajan

... Petitioner

Vs.

1.The Superintendent of Police
Dindigul District
Dindigul

2.The Inspector of Police
Land Grabbing Special Cell
Dindigul

3.Vaidiyanathan

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent not to interfere into the civil dispute and thereby not to harass the petitioner and his family under the guise of enquiry based on the petitioner's representation dated 15.10.2020.

For Petitioner	: Mr.R.Selvaraj
For R1 & R2	: Mr.V.Neelakandan, Additional Public Prosecutor
For R3	: Mr.S.Parthasarathy

O R D E R

This petition has been filed to direct the second respondent not to interfere into the civil dispute and thereby not to harass the petitioner and his family under the guise of enquiry based on the petitioner's representation dated 15.10.2020.

2.The learned counsel for the petitioner would state that one Ramakrishnan approached the petitioner to sell his land, for which, the petitioner has given an advance amount to the said Ramakrishnan. Thereafter, the said Ramakrishnan refused to register the said land to the petitioner. Hence, the petitioner filed a suit in O.S.No.30 of 2018 before the Fast Track Mahila Court, Dindigul and the same was ordered in favour of the petitioner. Since the said Ramakrishnan has not come forward to register the sale deed in favour of the petitioner, the Court itself registered the sale deed. Thereafter, the petitioner is in possession and enjoyment of the



said land. In the meantime, the third respondent came to the petitioner's house and conducted the Katta Panchayat stating that the said land belongs to his grandfather and trying to grab the money from the petitioner. The third respondent lodged a false complaint before the second respondent police. Based on the complaint, the second respondent Police called the petitioner for enquiry and the petitioner also appeared for enquiry. But, the second respondent has not heard the words of the petitioner. Against which, the petitioner made a representation stating all the averments to the first respondent on 15.10.2020. So far, no action has been taken by the first respondent. Hence, the present petition.

3.When the petition is taken up for hearing, the learned Additional Public Prosecutor, on instructions, would submit that there is an enquiry pending against the petitioner.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.

5.Considering the facts and circumstances of the case, this Criminal Original Petition is disposed of with a direction to the respondents to follow the principles laid down by the Hon'ble Apex Court in ***D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610*** while enquiring the petitioner.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

msa

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
Dindigul District
Dindigul



2.The Inspector of Police
Land Grabbing Special Cell
Dindigul

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

CrI.O.P. (MD) No.12181 of 2020
02.11.2020

ARK (CO)
TR (19.11.2020) 3P 4C