



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CrI.O.P (MD) No.13130 of 2020

S.Muppidathiselvi

... Petitioner

Vs.

1.The Superintendent of Police,
O/o.The District Superintendent of Police,
Ilathur Road, Tenkasi.

2.The Inspector of Police,
Kadayam Police Station,
Kadayam, Tenkasi District.

3.V.Chermadurai.

... Respondents

Prayer: Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent herein not to interfere with civil dispute under the guise of enquiry without following due process of law, based on the petitioner's representation dated 03.10.2020.

For Petitioner : Mr.D.Srinivasaragavan

For Respondents : Mr.V.Neelakandan

Additional Public Prosecutor, for R1 & R2
: Mr.R.J.Karthick, for R3.

O R D E R

This Criminal Original Petition has been filed to direct the second respondent herein not to interfere with civil dispute under the guise of enquiry without following due process of law, based on the petitioner's representation dated 03.10.2020.

2.The learned counsel appearing for the petitioner reiterated the contentions set out in the affidavit. He further submitted that the interference on part of the respondent police in the pending civil dispute between the petitioner and the third respondent.

3.The learned counsel appearing for the third respondent would submit that after closing of enquiry, the third respondent lodged a complaint before the Land Grabbing Cell, at Tirunelveli. The Land Grabbing Cell, Tirunelveli found that it is a civil dispute and directed the parties to approach the Civil Court for relief. Thereafter, the third respondent preferred a complaint before the Kadayam Police Station stating that after closing of the complaint before the Land Grabbing Cell, Tirunelveli, the petitioner had attempted to take possession of the disputed property.



4.The learned Additional Public Prosecutor submitted that a complaint was enquired into in C.S.R.No.518 of 2020 by the second respondent and the matter has been closed on 01.10.2020. The parties have been advised to approach the civil Court for relief.

5.Recording the said submissions made by the learned Additional Public Prosecutor, this Criminal Original Petition is closed. However, the learned Additional Public Prosecutor is directed to circulate the copy of the closure report to the petitioner, so that he can workout his remedy in the manner known to law.

Sd/-

Assistant Registrar (CSII)

// True Copy //

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Sub Assistant Registrar(CS)

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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,
O/o.The District Superintendent of Police,
Ilathur Road, Tenkasi.

2.The Inspector of Police,
Kadayam Police Station,
Kadayam, Tenkasi District.

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

+1 CC to M/s.D.SRINIVSARAGAVAN, Advocate (SR-22428[F] dated
23/11/2020)

Crl.O.P(MD)No.13130 of 2020
20.11.2020

KMV(CO)

KB(01.12.2020) 2P 5C