



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2020

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CRL.O.P.(MD)No.13218 of 2020

Adhilakshmi

... Petitioner

vs.

1)The Commissioner of Police,
Trichy City.

2)The Inspector of Police,
Srirengam Police Station,
Trichy City.

3)N.Sridharan

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 2nd respondent police not to interfere in the rent control disputes and not to harass the petitioner on the complaint of one Sridharan.

For Petitioner	:	Mr.T.A.Ebenezer
For R1 & R2	:	Mr.V.Neelakandan
		Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the 2nd respondent police not to interfere in the rent control disputes and not to harass the petitioner on the complaint of one Sridharan.

2.The petitioner is a tenant under the 3rd respondent and according to her, she had been regularly paying the rent. According to the petitioner, the 3rd respondent had misbehaved with her and threatened her stating that she would be vacated by unlawful force tarnishing the image of the petitioner. The petitioner had sent a legal notice dated 14.08.2020 through her counsel. After lapse of one month from the date of receipt of the said legal notice, the 3rd respondent had given a complaint to the respondent/police against the petitioner stating that the rent was not paid by the petitioner and according to the petitioner, one Sub Inspector of Police attached to the 2nd respondent police namely, Srinivasa Rao threatened the petitioner with unwarranted words and since the petitioner is facing harassment in the hands of the 2nd respondent/police, she is before this Court with the petition not to harass.

3.The learned Additional Public Prosecutor would state that on the complaint of the 3rd respondent, there is an enquiry pending



against the petitioner.

4.Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor. Since no adverse order is going to be passed against the 3rd respondent, notice to him is not necessary.

5.Admittedly, it is a landlord-tenant dispute and therefore, the 3rd respondent has to approach the appropriate rent control court, instead, he has given a complaint to the respondent/police. In the earlier occasion on 26.11.2020, when the criminal original petition came up for hearing, the learned counsel for the 3rd respondent had stated that the petitioner has not paid the rent till date, for which, the learned counsel for the petitioner replied stating that the rent is paid till date. Considering the said submission, the learned counsel for the petitioner was directed to produce the rental receipts. Today, the learned counsel for the petitioner has produced the rental receipts by way of additional typed set of papers and perusal of the same shows that the rent has been regularly paid by the petitioner to the 3rd respondent. The grievance of the petitioner is that the 2nd respondent/police is harassing her and threatening her with unwanted words. If at all there is any dispute between the petitioner and the 3rd respondent, unless and until a criminal offence is made out, the parties have to approach the appropriate rent control court for their remedy and the respondent/police are directed not to interfere in the matter and shall not disturb the petitioner.

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

Sd/-

Assistant Registrar

// True Copy //

/ /2021

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.

