



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2020

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

CrI.O.P. (MD) No.14789 of 2020

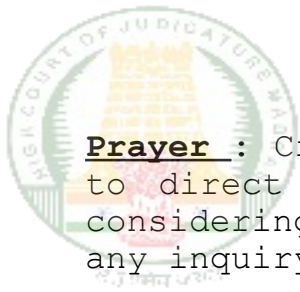
T.Arul

... Petitioner

Vs.

1. The Director General of Police,
(Law and Order)
The Office of the Director General of Police,
Chennai.
2. The Inspector General of Police,
The Office of Inspector General of Police,
Contonment,
Trichirappalli District.
3. The Superintendent of Police,
Thanjavur District.
4. The Inspector of Police,
Ammapettai Police Station,
Papanasam Taluk,
Thanjavur District.
5. M.Mohan,
(Police Constable)
S.P.Special Team,
The Office of Superintendent of Police,
Thanjavur District.
- 6.A.Thiruavukarasu
- 7.V.Raja
- 8.R.Rajkumar
- 9.V.Ramalingam
- 10.P.Raja
- 11.K.Kumar
- 12.R.Duraikannu
- 13.T.Rajendran
- 14.V.Rajamanickam
- 15.K.Viswanathan
- 16.K.Guru

... Respondents



Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., to direct the fourth respondent not to harass the petitioner by considering the representation dated 17.11.2020 under the guise of any inquiry without following the due procedure.

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For Petitioner : Mr.R.Sureshkumar
For R1 to R4 : Mr.V.Neelakandan,
Additional Public Prosecutor

ORDER

This criminal original petition has been filed to direct the fourth respondent not to harass the petitioner by considering the representation, dated 17.11.2020 under the guise of any inquiry without following the due procedure.

2.The learned counsel appearing for the petitioner would submit that in respect of tanks, trees belongs to Raramuthiraikkottai village panchayat, a public auction was held on 28.10.2020 at Raramuthiraikkottai Village Panchayat with a condition to pay the entire auction price. The petitioner was a successful bidder in respect of Kokkalam tank and he paid bid amount of Rs.16,000/- and he got fishing rights in the said tank. While that being so, the fifth respondent, who is a Police Constable, threatened the petitioner to return the auction payment receipt. The fifth and fourth respondents and their relatives came to the house of the petitioner and threatened him to handed over the original auction payment receipts. Hence, the petitioner filed this petition seeking the aforesaid relief.

3.The learned Additional Public Prosecutor appearing for the respondents 1 to 4 produced a proceedings of the Revenue Divisional Officer wherein it has been held that there is a dispute between two groups with regard to the auction and hence, a peace committee meeting has to be held and the same is scheduled on 11.12.2020.

4.As a successful bidder, the petitioner is always entitled to enjoy the fruits of the bid. If any person is aggrieved by the auction, he may approach the concerned forum for his remedy. There cannot be any peace committee meeting against the interest of the person, who has legally participated in the auction and was the successful bidder and paid the amount. The respondent/police has to give protection to the successful bidder rather than harassing. The respondent/police are directed not to harass the petitioner in the guise of any settlement.



5. With the above direction, this criminal original petition is allowed.

Sd/-

Assistant Registrar (A.S)

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// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gns

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 Director General of Police,
(Law and Order)
The Office of the Director General of Police, Chennai.
2. The Inspector General of Police,
The Office of Inspector General of Police,
Cantonment, Trichirappalli District.
3. The Superintendent of Police,
Thanjavur District.
4. The Inspector of Police,
Ammapettai Police Station,
Papanasam Taluk,
Thanjavur District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.Suresh Kumar, Advocate, SR.No.25656.

Cr1.O.P. (MD)No.14789 of 2020

SV2 (CO)

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