



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.17037 OF 2021

V.Balakrishnan

... Petitioner

Versus

1. The Commissioner of Police,
Coimbatore City,
Near Collectorate,
Coimbatore - 641 018.
2. The Deputy Commissioner of Police,
Office of the Commissioner of Police,
Coimbatore City,
Near Collectorate,
Coimbatore - 641 018.
3. The Assistant Commissioner of Police,
Singanallur,
Coimbatore.
4. The Inspector of Police,
E3, Saravanampatti Police Station,
Saravanampatti,
Coimbatore.

... Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, directing the respondents not to harass the petitioner in respect of the civil disputes between the petitioner and the plaintiffs in O.S.No.729 of 2018, on the file of the IV Additional Judge District Munsif Court, Coimbatore.

For Petitioner : Mr.K.Selvaraj

For Respondents: Mr.R.Vinoth Raja
Government Advocate [Crl. Side]



O R D E R

This Criminal Original Petition is filed to direct the respondents not to harass the petitioner in respect of the civil disputes between the petitioner and the plaintiffs in O.S.No.729 of 2018, on the file of the IV Additional Judge District Munsif Court, Coimbatore.

2.The contention of the petitioner is that the petitioner is the defendant in a suit filed by the counter complainant's father. The Advocate Commissioner was appointed in I.A.No.277 of 2018 in O.S.No.729 of 2018 by the IV Additional District Munsif Court, Coimbatore, even before the final outcome of the suit, on the guise of the facts and not considering the petitioner's father old age.

3.The learned Government Advocate [Crl. Side] submitted that there is a dispute in the pathway. The counter complainant admits about the civil suit, the only issue is that the petitioner had earlier lodged a complaint in C.S.R.No.468 of 2021. Now the counter complainant had lodged a complaint and C.S.R.No.580 of 2021 had been assigned. The petitioner had put up an obstruction in the path way, for which a complaint had lodged with the Revenue Divisional Officer and the Revenue Divisional Officer had initiated proceedings and directed the Thasildar to inspect the property and sent a report. For the purpose of finding out the path way and the physical features, the Revenue Divisional Officer shortly visited the place. The petitioner is required not to obstruct the enquiry of the Thasildar and the Revenue officials.

4.In view of the same, the petitioner is directed not to obstruct the inspection conducted by the Thasildar and the Revenue Officials and also directed to allow and co-operate with the Revenue officials to make physical examination and enquiry, with regard to the path way.

5.With the above observation, this Criminal Original Petition stands disposed of.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police,
Coimbatore City,
Near Collectorate,
Coimbatore - 641 018.
2. The Deputy Commissioner of Police,
Office of the Commissioner of Police,
Coimbatore City,
Near Collectorate,
Coimbatore - 641 018.
3. The Assistant Commissioner of Police,
Singanallur, Coimbatore.
4. The Inspector of Police,
E3, Saravanampatti Police Station,
Saravanampatti,
Coimbatore.
5. The Public Prosecutor,
High Court, Madras.

Copy To

1. The IV Additional Judge cum
District Munsif Coimbatore.
2. The Thasildar
Coimbatore.
3. The Revenue Divisional Officer
Coimbatore.

+1cc to Mr.Selvaraj, Advocate, S.R.No.48425

CRL.O.P.No.17037 of 2021

MG (CO)
PM/28/09/2021