



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2021

CORAM :

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.25286 OF 2021

R.Arunagiri

...Petitioner

Versus

1.State rep. by its:

The District Superintendent of Police,
District Superintendent Office,
Cuddalor District.

2.The Inspector of Police,
Kadalur Police Station,
Kadalur - 607 205.

3.Dhayanithi

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent not to harass the petitioner and his family members.

For Petitioner : Mr.D.Padmanabhan

For R1 & R2 : Mr.E.Raj Thilak
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the second respondent not to harass the petitioner and his family members.

2.The grievance of the petitioner is that the petitioner and the third respondent are brothers. Recently, their father viz., Ramaswamy, passed away. The petitioner was residing with his father Ramaswamy along with his family in the property situated at Varinjipakkam, Panruti Taluk, Kadalur - 607 205. After the demise of petitioner's father, the third respondent using the second respondent attempting to chase away the petitioner from the family property, for which the petitioner is being resisting, on the guise of enquiry.



3.He further submitted that earlier the third respondent had engaged some rowdy elements and forcible tress pass into the property and assaulted the petitioner, his mother and his wife and they got admitted in the Government Hospital. A case in Crime No.670 of 2021, came to be registered, but no action has been taken, which embolden the third respondent to further employ some more persons to evict the petitioner along with his family members. The petitioner had already filed a civil suit in O.S.No.581 of 2021, which is pending before the Sub Court, Panruti.

4.The learned Additional Public Prosecutor submits that the third respondent and the petitioner have not appeared for enquiry. Further submits that in view of the civil suit is pending, they were advised to approach the civil court to seek appropriate relief.

5.In view of the same, the petitioner is directed to approach the civil Court to seek his remedy.

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

Sd/-
Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar

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To

1.The District Superintendent of Police,
District Superintendent Office,
Cuddalor District.

2.The Inspector of Police,
Kadalur Police Station,
Kadalur - 607 205.

3.The Public Prosecutor,
High Court, Madras.

Copy To

The Sub Judge,
Sub Court, Panruti.

CRL.O.P.No.25286 of 2021

UM(CO)
RVM(31/01/2022)