



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

CrI.OP(MD)No.816 of 2021

AL.Karuppaiah

... Petitioner

vs.

- 1.State through,
The Superintendent of Police,
District Police Office,
Pudukkottai District.
- 2.The Deputy Superintendent of Police,
Ponnamaravathy,
Pudukkottai District.
- 3.The Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.
- 4.The Sub Inspector of Police,
Namanasamuthiram Police Station,
Pudukkottai District.

5.M.Muthuraman

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the 1st respondent to direct the respondents 2 to 4 not to interfere in the civil dispute between the petitioner and the fifth respondent regarding the land in New S.F.No.480/2, old S.F.No.429 measuring an extent of 0.32.0 Ares, situate at Kottur Village, Thirumayam Taluk, Pudukkottai District based on the petitioner representation dated 09.01.2021.

For Petitioner
For Respondents

:Mr.RMS.Sethuraman
:Mr.A.Robinson,
Government Advocate (Criminal Side)
for R1 to R4
Mr.K.G.Arunkumar for R5

O R D E R

The present petition is filed by the petitioner seeking for a direction to the respondents 1 to 4 not to interfere in the civil dispute between the petitioner and the fifth respondent regarding the land in New S.F.No.480/2, old S.F.No.429 measuring an extent of 0.32.0 Ares situate at Kottur Village, Thirumayam Taluk, Pudukkottai District based on the representation dated 09.01.2021.

2. Mr.RMS.Sethuraman, learned counsel appearing for the petitioner contended that though the matter in dispute between the petitioner and the fifth respondent is purely civil in nature, the



respondents 2 to 4 at the instigation of the fifth respondent is harassing the present petitioner.

3. Mr.A.Robinson, learned Government Advocate (Criminal Side) appearing for the respondents 1 to 4, filed Status Report of the Deputy Superintendent of Police, Ponnamaravathy, Pudukkottai District.

4. A perusal of the Status Report shows that initially though the police closed the complaint of the fifth respondent contending that the matter in issue between the petitioner and the fifth respondent is purely civil in nature, subsequently, re-opened the same, since an order was passed by this Court in CrI.OP(MD).No.19185 of 2019, dated 20.12.2019, wherein, that this Court directed the official respondents 1 to 3 to conduct an enquiry on the representation submitted by the fifth respondent and if it is found that police protection is absolutely necessary, then the police should provide protection to the fifth respondent. Nowhere in the said order, direction has been given to the official respondents to provide police protection to the fifth respondent. Infact, the police officials were directed to conduct an enquiry.

5. Mr.RMS.Sethuraman, learned counsel appearing for the petitioner contended that no notice was issued to the present petitioner before granting police protection to the fifth respondent. In the circumstances, the respondents 1 to 4 are directed to issue notice to the petitioner and the fifth respondent, conduct an enquiry and pass appropriate orders based on findings and on merits and if the matter is purely civil in nature, the police should not interfere with the same.

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

Sd/-

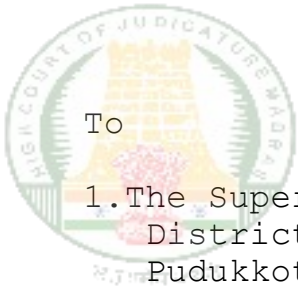
Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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,
District Police Office,
Pudukkottai District.

2.The Deputy Superintendent of Police,
Ponnamaravathy,
Pudukkottai District.

3.The Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.

4.The Sub Inspector of Police,
Namanasamuthiram Police Station,
Pudukkottai District.

+1 CC to M/s.RMS.SETHURAMAN, Advocate (SR-12817[F] dated 22/03/2021
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Crl.OP(MD)No.816 of 2021
22.03.2021

PK(CO)
KB(08.04.2021) 3P 6C