



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.06.2021

CORAM :

WEB COPY

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.7883 of 2021

M.Periyasamy

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District, Madurai.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Peraiyur,
Madurai District.

3.The Inspector of Police,
T.Kallupatti Police Station,
T.Kallupatti.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondents 1 and 2 to transfer the investigation pending before the third respondent to any other investigating agency within the jurisdiction of the first respondent by considering the representation dated 09.02.2021.

For Petitioner
For Respondents

: Mr.P.Arun Jayatram
: Mr.R.M.Anbunithi,
Additional Public Prosecutor

ORDER

This petition is filed seeking a direction to the respondents 1 and 2 to transfer the investigation which is pending before the third respondent to any other Enquiry Officer.

2. When the matter came up for hearing, the learned Additional Public Prosecutor would submit that enquiry was undertaken by the third respondent and it was closed on 13.05.2021, observing that the dispute is civil in nature and the parties have to workout their remedy before the appropriate Forum.

3. Mr.S.Balaji, learned counsel appeared through virtual mode and would submit that he is representing the real owner namely, Vembadayan, who is the uncle of the petitioner and that based upon the evidence on record, the order passed by this Court, detailed enquiry was



conducted and it was closed as early as on 26.11.2020 itself, observing that the dispute is admittedly civil in nature and inspite of that, the petitioner is repeatedly sending representations and making trouble.

4. In any event, since the matter was closed by the third respondent herein, the petitioner has to approach the appropriate Forum to workout his remedy and accordingly, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CSII)

// 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.

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District, Madurai.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Peraiyur,
Madurai District.
- 3.The Inspector of Police,
T.Kallupatti Police Station,
T.Kallupatti
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD)No.7883 of 2021
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KB(29.06.2021) 2P 5C