



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.06.2021

CORAM

WEB COPY

THE HONOURABLE **MR.JUSTICE G.CHANDRASEKHARAN**

Crl.O.P. (MD)No.7612 of 2021

A.Padmarani

... Petitioner

Vs.

1.The Superintendent of Police,
O/o.Superintendent of Police,
Madurai District, Madurai.

2.The Inspector of Police,
Vadipatti Police Station,
Vadipatti, Madurai District.

3.Gangadharan

... Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., to direct the second respondent not to interfere in the civil dispute between the petitioner and the third respondent in respect of the property comprised in S.No.126/3A, having an extent 0.03.0 acres bearing Patta No.32, situated at Chinnamanayakanpatti Village, Vadipatti Taluk, Madurai District.

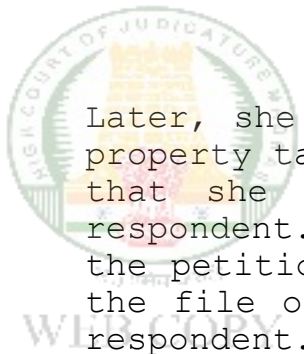
For Petitioner: Mr.R.Murali

For R1 & R2 : Mr.R.M.Anubunithi,
Additional Public Prosecutor

ORDER

This criminal original petition has been filed to direct the second respondent not to interfere in the civil dispute between the petitioner and the third respondent in respect of the property comprised in S.No.126/3A, having an extent 0.03.0 acres bearing Patta No.32, situated at Chinnamanayakanpatti Village, Vadipatti Taluk, Madurai District.

2.The case of the petitioner is that she purchased property in dispute through registered sale deed dated 28.04.1977 measuring about 0.03.0 acres in S.No.126/3A bearing patta No.32 situated at Chinnamanayakanpatti Village, Vadipatti Taluk, Madurai District.



Later, she constructed a building and that building was assessed to property tax in her name. In fact, it is the case of the petitioner that she purchased property from the forefathers of the third respondent. When the third respondent attempted to encroach upon the petitioner's property, she filed a suit in O.S.No.58 of 2021 on the file of the District Munsif Court, Vadipatti against the third respondent. Even after filing the suit, the third respondent is trying to put up fence by encroaching the petitioner's property with the active help and involvement of the second respondent. Therefore, this petition.

3.The learned counsel appearing for the petitioner submitted that the issue involved in this case is purely civil dispute and the second respondent is unnecessarily involving in the civil dispute pending before the civil Court and helping the third respondent in altering the boundary. In this regard, the petitioner sent a petition through online, dated 07.06.2021 to the first respondent.

4.It is true that the Police should not interfere in the civil dispute. There is an allegation that the second respondent is involving in the civil dispute between the petitioner and the third respondent. The veracity of this averment cannot be gone into at this stage. However, considering the fact that the petitioner has sent an online complaint to the first respondent on 07.06.2021 complaining one side approach of the second respondent, the first respondent is directed to take cognizance of the complaint and take appropriate action in accordance with law.

5.With the above observations, this criminal original petition is closed.

Sd/-

Assistant Registrar (CS-II)

// 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 Superintendant of Police,
O/o.Superintendent of Police,
Madurai District, Madurai.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Inspector of Police,
Vadipatti Police Station,
Vadipatti, Madurai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.7612 of 2021

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CN (02.07.2021) 3P 4C