



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2021

CORAM:

THE HON'BLE MR JUSTICE G.ILANGOVAN

Crl.O.P.(MD)No.7940 of 2021

WEB COPY

P.Kalyana Sundaram

... Petitioner

Vs.

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

2.The Inspector of Police,
Tiruchendur Taluk Police Station,
Tiruchendur,
Thoothukudi District.

3.Murugan

... Respondents

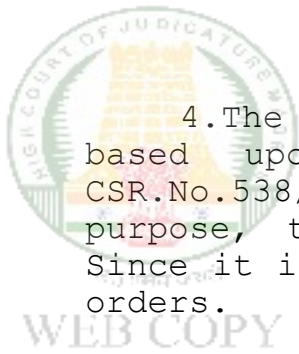
Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the second respondent for not to harass the petitioner under the guise of enquiry, based on the petitioner's representation, dated 12.06.2021.

For Petitioner : Mr.D.S.Haroon Rasheed
For R1 : Mr.R.M.Anbunithi
Additional Public Prosecutor.

ORDER

This Criminal Original Petition is filed seeking a direction to direct the second respondent for not to harass the petitioner under the guise of enquiry, based on the petitioner's representation, dated 12.06.2021.

2. The case of the petitioner is that he engaged the third respondent for constructing house and trouble arose after some time, due to the inefficient construction works of the third respondent and also he demanded excess amount above the agreed amount, which was also paid. Later, he engaged another man power company and completed the construction work. Now, the third respondent has given a complaint to the second respondent against the petitioner. Based upon which, the petitioner was called upon to appear enquiry and even though, he is physically challenged person, he appeared before the Enquiry Officer and gave a submission. Further, the second respondent herein insisting the petitioner to engage the Government Engineer once again to assess the cost of construction.



4.The learned Additional Public Prosecutor would submit that based upon the complaint given by the third respondent, CSR.No.538/2021 has been assigned on 20.05.2021 and for that purpose, the petitioner was called upon to appear for enquiry. Since it is purely civil in nature, the Court may pass appropriate orders.

5. It appears that it is purely civil in nature, the second respondent has no power to play role in the dispute and shall close the enquiry also. The parties are directed to approach the appropriate Court for appropriate remedy.

6. With the above direction, this petition is disposed of.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dss

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,
Thoothukudi District.
- 2.The Inspector of Police,
Tiruchendur Taluk Police Station,
Tiruchendur,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.7940 of 2021
21.06.2021

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