



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

Cr1.O.P(MD)No.9393 of 2021

WEB COPY

Arun Thomos

..Petitioner

Vs

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Deputy Superintendent of Police,
Ambasamuthram Taluk,
Tirunelveli District.

3.The Inspector of Police,
Kallidaiukurichi Police Station,
Tirunelveli.

4.The Inspector of Police,
V.K.Puram Police Station,
Tirunelveli District.

5.S.Visalatchi

6.M.Sankarasubramaniyan

..Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, directing the respondents 2 to 4 by directing them not to interfere the civil dispute of the petitioner and the respondents 5 & 6 pending adjudication in I.A.No.1 of 2020 on the file of the District Munsif Court, Ambasamudram and consequently direct the respondents 2 to 4 not to harass the petitioner in the guise of the enquiry on the sith respondent's complaint.

For Petitioner

: Mr.V.Angusamy

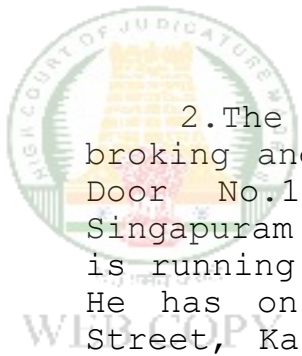
For R1 to R4

: Mr.R.M.Anbunithi

Additional Public Prosecutor

O R D E R

This petition is filed seeking a direction to the respondents 2 to 4 not to interfere in the civil dispute and not to harass the petitioner under the guise of the enquiry.



2.The case of the petitioner is that he is running a pawn broking and money lending business having its registered office in Door No.1/19B, Varagapuram Main Road, Sivanthipuram, Vikrama Singaparam Post, Tirunelveli District and has various branches. He is running his business in the above said premises on rental basis. He has on of the branch office at Door No.135/68, Virappapuram Street, Kallidaikurichi Village, Ambasamuthram Taluk, in which, he is a tenant and the 5th respondent herein is the owner and her husband is the sixth respondent. Due to tenant and landlord dispute, the petitioner filed O.S.No.134 of 2020, on the file of the District Munsif Court, Ambasamudram against the respondents 5 & 6, not to evict the petitioner without due process of law. According to the petitioner, the 6th respondent is the retired Sub-Collector and he influenced the second respondent police and harassing the petitioner. The petitioner received summons on 26.06.2021 and he appeared for enquiry. Even then, there is continuous harassment by the second respondent police. Hence, this petition.

3.When the matter is taken up for hearing, the learned Additional Public Prosecutor would submit that based upon the complaint given by the sixth respondent herein, a complaint in CP No.19628 of 2020 is pending. In respect of another shop, based upon the complaint given by one Mariappan, enquiry in CSR No.119 of 2021 was undertaken and during the course of the enquiry, it was found that the issue involved in this complaint is purely civil in nature and the complainant has given a statement to the effect that he will approach the concerned Court and redress his grievance. On that basis, the enquiry was closed.

4. In view of the same, neither of the official respondents have any power to enquire in the matter of civil dispute. Let the learned Additional Public Prosecutor advise the second respondent accordingly. He is also undertook to advise the official respondents suitably.

5.Recording the aforesaid submission of the learned Additional Public Prosecutor, this Criminal Original Petition is disposed of.

Sd/-

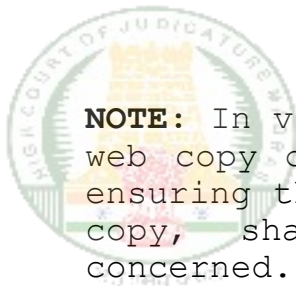
Assistant Registrar (CS-I)

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/ /2021

Sub Assistant Registrar(CS)

vrn



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.

WEB COPY

To

- 1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Deputy Superintendent of Police,
Ambasamuthram Taluk,
Tirunelveli District.
- 3.The Inspector of Police,
Kallidaiukurichi Police Station,
Tirunelveli.
- 4.The Inspector of Police,
V.K.Puram Police Station,
Tirunelveli District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P(MD)No.9393 of 2021

15.07.2021

CM(CO)

LR (26.07.2021) 3P 6C