



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVA**
Crl.O.P. (MD)No.11266 of 2021

WEB COPY

Ilango

... Petitioner

Vs.

1. The Superintendent of Police,
Sivagangai District
Sivagangai.

2.The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.

3.The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District

4.Manickam

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents 1 to 3 herein to not to interfere in the civil disputes on the enquiry in pursuance to the complaint lodged by the fourth respondent.

For Petitioner

: Mr.C.Senthil Murugan

For R-1 to R3

: Mr.R.Meenakshi Sundaram,

Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to the respondents 1 to 3 herein not to interfere with the civil dispute which is pending between the petitioner and the fourth respondent.

2. The petitioner and the fourth respondent are brothers. In respect of property dispute, suit in O.S.No.592 of 2019 has been filed by the sisters of the petitioner namely, Amudha, Kala, Uma and Atheeswari before the Subordinate Court, Sivagangai, wherein the petitioner is arrayed as the third defendant.

3. The learned counsel for the petitioner would submit that in spite of filing of the suit, the fourth respondent, who is second defendant in the above suit is making trouble and he has made a complaint upon which the third respondent police has harassed



the petitioner.

4. When the matter was taken up for hearing on 12.08.2021, the learned Additional Public Prosecutor submitted that since the suit is pending between the parties, the parties were directed to redress their grievance and get relief through appropriate court and on that ground the complaint given by the petitioner came to be closed. For circulating the copy of the closure report, the matter is listed today. Closure report has also been circulated.

5. A perusal of the same would show that the fourth respondent has given complaint stating that the property in which the petitioner is in occupation belongs to him and he has rented out the house to the third parties and the relief is sought to evict the petitioner from possession. The petitioner also gave a statement to the effect that in respect of the property dispute, suit in O.S.No.592 of 2019 is pending before the Subordinate Court, Sivagangai. But however he is in possession of the property by putting up a shed. He will abide by the judgment of the court that may be passed in the above suit pending suit. Similarly, the fourth respondent has also given a subsequent statement to the effect that they will work out their remedy in the pending civil suit. Based upon that, it has been closed.

6. Since the third respondent is closed the enquiry based upon the statement given by the petitioner and the fourth respondent, nothing survives for consideration or direction in this petition.

7. Recording the submission of the learned Additional Public Prosecutor, this petition is disposed of as infructuous.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM

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,
Sivagangai District
Sivagangai.

2.The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.

3.The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District

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

Crl.O.P. (MD) No.11266 of 2021
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