



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGOVAN**

Crl.O.P.(MD)No. 11938 of 2021

WEB COPY

B.Nambirajan

... Petitioner

Vs.

- 1.The State rep by
The Superintendent of Police,
Kanyakumari District,
Nagercoil.
- 2.The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.
- 3.The Project Director cum DGM (Tech),
No.314E, K.P.Road,
Near Ayappan Kovil,
Parvathipuram, Nagercoil - 629 003
Kanyakumari District.

...Respondents

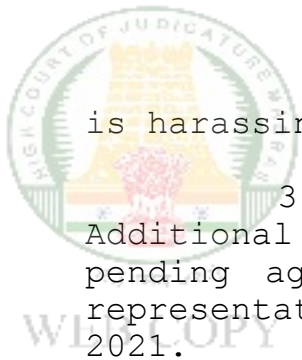
PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents not to harass the petitioner.

For Petitioner	: Mr.K.Perumal Swamy
For R1 & R2	: Mr.R.M.Anbunithi
	Additional Public Prosecutor.
For R3	: Mr.Su.Srinivasan

ORDER

This petition has been filed to direct the respondents not to harass the petitioner.

2.The learned counsel for the petitioner would submit that the petitioner is the owner of the land in Survey No.444/7 and 444/8 situated at Thiruvathancode Village, Kalkulam Taluk, Kanyakumari District. In the above said land, 190 and 240 sq.ft of land was acquired by National Highways, for which, Rs.6,01,666/- and Rs.23,24,608/- was awarded as compensation. According to the petitioner, the awarded compensation was not in accordance with law. Hence, he filed Writ Petition before this Court and it is pending. While this being so, on 22.07.2021, the Revenue officials with the help of the respondents herein demolished the petitioner's entire building without following the provisions of National Highways Act. Hence, he sent a representation to the first respondent seeking enhancement of compensation. The learned counsel for the petitioner would submit that based on the false complaint given by the third respondent, the second respondent, who has no role in this dispute



is harassing the petitioner. Hence, this petition.

3. When the matter is taken up for hearing, the learned Additional Public Prosecutor would submit that no complaint is pending against this petitioner. However, the petitioner made a representation dated 13.08.2021, which is pending in C.P.No.26962 of 2021.

4. The submission made by the learned Additional Public Prosecutor is placed on record. Since no complaint is pending against the petitioner and the representation made by the petitioner is pending, the petitioner is directed to appear before the enquiry officer and co-operate with him, to complete the enquiry. The second respondent may direct the petitioner to work out his remedy through appropriate proceedings.

5. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /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.

To

1. The Superintendent of Police, Kanyakumari District, Nagercoil.

2. The Inspector of Police,
Thuckalay Police Station, Kanyakumari District.

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

+1 CC to M/s.SU.SRINIVASAN, Advocate (SR-26975[F] dated
23/08/2021)

Crl.O.P. (MD) No.11938 of 2021

23.08.2021