



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.09.2021

CORAM :

THE HONOURABLE **Mr.JUSTICE G.ILANGO VAN**

Crl.O.P.(MD)No.13630 of 2021

WEB COPY
Kumaresan

... Petitioner

Vs

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

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

3.Gunasekaran

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the second respondent not to enquire the civil dispute about the petitioner land of Plot No.48, situated in Survey No.103/2, situated at Petitioner village of Kayampatti, Kulamangalam (Post), Madurai North Taluk, Madurai District.

For Petitioner : Mr.R.Murugappan
Advocate.

For Respondent : Mr.K.Sanjai Gandhi
Government Advocate

O R D E R

This petition has been filed to direct the second respondent not to enquire the civil dispute about the petitioner land of Plot No.48, situated in Survey No.103/2, situated at Petitioner village of Kayampatti, Kulamangalam (Post), Madurai North Taluk, Madurai District.

2.The case of the petitioner is that he married one Ramuthai which is a inter caste marriage. Hence, the Government has assigned a Plot No.48 situated in Survey No.103/2 in the village under the special Scheme. The front side of the petitioner's house is used to stock haystack and rearing cows. But, the third respondent claiming right over the property gave a false complaint against the petitioner. Based on which, the second respondent is compelling the petitioner to settle the issue.

3.When the matter is taken up for hearing, the learned Government Advocate would submit that based on the complaint given by the third respondent, enquiry was undertaken in C.S.R.No.300 of



2021 and during the course of enquiry, it was found that it is a land dispute between the petitioner and the third respondent herein.

4.Since it is a land dispute between the petitioner and the third respondent herein, the second respondent may not have any role to play. However, the second respondent may direct the parties to work out their remedy through appropriate proceedings and close the enquiry.

5.With these directions, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (CS I)

// 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 Superintendent of Police,
Madurai District,
Madurai.
- 2.The Inspector of Police,
Alanganallur Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.13630 of 2021
Date : 16.09.2021

RS (24.09.2021) 2P 4C