



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.14442 of 2021

WEB COPY

Durairaj

... Petitioner

.Vs.

1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram

2.The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.

3.Mariyammal

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent not to enquire the civil dispute about the petitioner land of Survey No.313/1B3 B1A1A extents of 58 3/4 cents, situated at Petitioner village of V.V.R Nagar, Sayalkudi (post), Kadaladi Taluk, Ramanathapuram District.

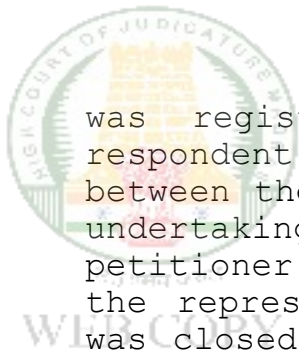
For Petitioner : Mr.R.Murugappan
For R1 and R2 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.side)

ORDER

This petition has been filed seeking direction to the second respondent not to interfere the civil dispute about the petitioner land of Survey No.313/1B3 B1A1A, situated at V.V.R Nagar, Sayalkudi (Post), Kadaladi Taluk, Ramanathapuram District.

2. The learned counsel for the petitioner would submit that because of the land dispute between the petitioner and the third respondent, O.S.No.108 of 2005 was filed by the petitioner seeking permanent injunction against the third respondent. It was allowed by the trial Court. It was taken on an appeal in A.S.No.80 of 2017 that has been partly allowed. Against which, the petitioner filed S.A.(MD)No.317 of 2020 and now it is pending before this Court. Pending the Second Appeal, the second respondent, under the influence of the third respondent, is harassing the petitioner, to hand over the possession of the petitioner.

3. It is seen that no complaint has been given by the third respondent, on the basis of the information furnished by the learned Government Advocate (criminal side) and only based upon the complaint given by the petitioner an enquiry in C.S.R.No.220 / 2021



was registered and during the course of enquiry, the third respondent did not appear and it was found that dispute arose between them, is civil in nature. The third respondent has given an undertaking that she will not make trouble and insult the petitioner. Based upon the undertaken given by the third respondent, the representation has given by the petitioner, dated 23.09.2021, was closed. So, in such event, the question of harassment does not arise and may not arise also.

4. Recording the submission made by the learned Government Advocate (criminal side) and taken on record the undertaken given by the third respondent, nothing survives for consideration or direction in this petition.

5. Hence, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ls

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,
Ramanathapuram District,
Ramanathapuram
- 2.The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.O.P. (MD)No.14442 of 2021

27.09.2021

GC(12.10.2021) 2P 4C