



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**
Crl.O.P.(MD)No.15046 of 2021

C.M.Salman Fahad

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Assistant Commissioner of Police (L&O),
Office of the Assistant Commissioner of Police,
Tallakulam, Madurai City.

3.The Inspector of Police (L&O),
Tallakulam Police Station,
Madurai.

4.A.Mohamed Ali

... Respondents

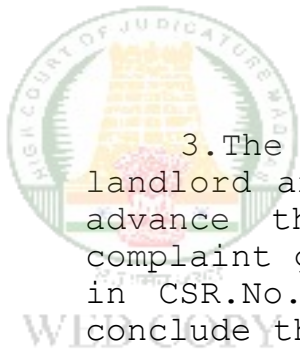
PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 3rd respondent for not to harass the petitioner under the guise of enquiry related to a civil dispute based on the petitioner's representation, dated 28.09.2021.

For Petitioner	: Mr.M.Seenisulthan
For Respondents	: Mr.R.M.S.Sethuraman Additional Public Prosecutor

O R D E R

This petition has been filed seeking a direction to the 3rd respondent not to harass the petitioner under the guise of enquiry on the basis of the complaint given by the 4th respondent.

2.The case of the petitioner is that the petitioner is running a Readymade Men Show room in the name and style of "SHEZA RETAIL" and "TRIOZ" at 22A, Gokale Road, Chinnachokkikulam, Madurai. The petitioner is a tenant and the fourth respondent herein is the owner of the building. In respect of the above said tenancy there a dispute arose between the parties. Even though the petitioner was paying the rent regularly, based upon the complaint made by the fourth respondent, the third respondent making harassment to the petitioner.



3.The learned Additional Public Prosecutor submits that it is a landlord and tenant dispute. In respect of the payment of rent and advance there a dispute arose between them. Based upon the complaint given by the fourth respondent enquiry has been undertaken in CSR.No.365 of 2021 and the petitioner is not co-operating to conclude the enquiry.

4.Since it is a landlord-tenant dispute, the third respondent have no role to play and enquire into the same. So the third respondent may close the enquiry by directing the parties to workout their remedy through appropriate civil proceedings.

5.With the above said direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Commissioner of Police,
Madurai City, Madurai.
- 2.The Assistant Commissioner of Police (L&O),
Office of the Assistant Commissioner of Police,
Tallakulam, Madurai City.
- 3.The Inspector of Police (L&O),
Tallakulam Police Station,
Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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