



Crl.O.P.(MD) No.15618 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2022

CORAM

THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

CRL.O.P (MD) No.15618 of 2022

Arumuga Thevar

... Petitioner

Vs.

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

2.The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.

3.The Executive Officer,
Veeravanallur Town Panchayat,
Tirunelveli District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the second respondent not to interfere in the civil dispute which is pending between the petitioner and the third respondent in O.S.No.5 of 2016 on the file of the District Munsif Court, Cheranmahadevi under the guise of enquiry.

For Petitioner	: Mr.V.Kathirvelu Senior Counsel for Mr.K.Jeyamohan
For R1 & R2	: Mr.A.Albert James Government Advocate (Crl. side)



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ORDER

This Criminal Original Petition has been filed seeking for a direction to the second respondent not to interfere in the civil dispute which is pending between the petitioner and the third respondent in O.S.No.5 of 2016 on the file of the District Munsif Court, Cheranmahadevi under the guise of enquiry.

2.The learned Senior Counsel for the petitioner would submit that the petitioner has already filed a petition in Crl.O.P.(MD)No.3308 of 2021 and this Court, after recording the submission made by the learned Government Advocate (Crl. side) that based upon the complaint given by the petitioner, enquiry was conducted and both the parties appeared before the respondent police and gave an undertaking that they will workout their remedy in the pending suit and on that basis, the complaint was closed on 06.02.2021, by observing that nothing survives for further adjudication, closed the said petition, vide order dated 09.04.2021. He would further submit that even after the closure of the above petition, the second respondent has been continuously interfering with the dispute between the petitioner and the third respondent. Hence, the petitioner is constrained to file the above application.



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3.The learned Government Advocate (Crl. side) would submit that the third respondent has preferred the complaint against the petitioner and his wife and enquiry was conducted on 13.08.2022 and that both the parties have given an undertaking that they will abide by the decision of the civil Court in O.S.No.5 of 2016 and by recording the same, the complaint was closed.

4.Admittedly, the suit in O.S.No.5 of 2016 is pending on the file of the District Munsif, Cheranmahadevi. Hence, the second respondent is not entitled to interfering with the dispute pending between both the parties in any manner.

5.With the above observations, this Criminal Original Petition stands allowed.

30.08.2022

Internet:Yes./No

Index:Yes/no

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Note: Issue order copy on 05.09.2022.



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K.MURALI SHANKAR, J.

sjj

To

- 1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.
- 2.The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.
- 3.The Executive Officer,
Veeravanallur Town Panchayat,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER IN
CRL.O.P (MD) No.15618 of 2022

30.08.2022