



CrI.O.P.(MD) No.15546of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2022

CORAM:

THE HONOURABLE **MR.JUSTICE V.SIVAGNANAM**

CrI.O.P.(MD) No.15546 of 2022

Sharmila Packiya

... Petitioner

Vs.

1. The Superintendent of Police
Thoothukudi District
2. The Inspector of Police
Thazhamuthu Nagar Police Station
Thoothukudi District
3. The Inspector of Police
Anti Land Grabbing Special Cell
Thoothukudi District
4. Hariramakrishnan

....Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C.
praying to direct the 1 to 3 respondent police not to interfere in civil
disputes between the petitioner and 4th respondent involved in the
subject matter of the suit in O.S No. 333 of 2016 on the file of the
learned District Munsif court, Thoothukudi



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For Petitioner : Mr.S.Vishnuvardhan
For Respondents : Mr.A.Albert James
No.1 to 3 Government Advocate(Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the respondents 1 to 3 not to interfere in civil disputes between the petitioner and 4th respondent involved in the subject matter of the suit in O.S No. 333 of 2016 on the file of the learned District Munsif court, Thoothukudi

2. When the matter is taken up for hearing, the learned Government Advocate(Crl.Side) appearing for the respondent police would submit that on the complaint received from the fourth respondent against the petitioner, enquiry was conducted and since the dispute involved between the petitioner and the fourth accused are civil in nature closed the same. Again the fourth respondent gave complaint to the first respondent and he forwarded the same to the third respondent and now it is pending enquiry.



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3. The learned counsel for the petitioner would submit that there is a civil dispute between the petitioner and the fourth respondent and others and in pursuance to the same, the petitioner filed a suit in O.S. No. 333 of 2016 and it is pending on the file of the learned District Munsif, Thoothukudi, under these circumstances the previous complaint was closed by the third respondent, again the fourth respondent gave complaint.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl.Side) appearing for the respondent police.

5. It is seen that the petitioner filed a suit against the fourth respondent and others in O.S. No.333 of 2016 before civil Court seeking permanent injunction and not disturb her peaceful possession. Further it is to be noted that the previous complaint given by the fourth respondent was closed by the respondent police and during enquiry they found that the dispute is civil in nature.



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6. In view of the same, the third respondent is hereby directed to conduct enquiry upon the complaint given by the fourth respondent against the petitioner and conduct enquiry and complete the same within a period of four weeks from the date of receipt of a copy of this order.. Further during enquiry if it is found to be civil dispute, not to interfere in the civil dispute.

7. The Criminal Original Petition stands disposed of with the above direction.

29.08.2022

Internet:Yes
Index:Yes/No
Speaking/Non speaking order
aav

To

1. The Superintendent of Police
Thoothukudi District
2. The Inspector of Police
Thazhamuthu Nagar Police Station
Thoothukudi District

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3. The Inspector of Police
Anti Land Grabbing Special Cell
Thoothukudi District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.



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V.SIVAGNANAM, J.

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