



CrI.O.P(MD)No.20947 of 20

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2022

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P(MD).No.20947 of 2022

K.Dhandapani,

: Petitioner

Vs

1. The Superintendent of Police,
Dindigul.

2. The Inspector of Police,
Land Grabbing Special Cell,
Dindigul.

3. Manian,

: Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the respondents 1 and 2 not to interfere with the Civil Dispute in respect of the S.Nos.388/5A, 403/1A, 302, 303/1A1, 303/1A2, 304/1, 304/2 situates in Kappiliapatti, Oddanchathiram Taluk, Dindigul which is the subject property of O.S.No.250 of 2021, on the file of the Additional District Judge, Palani.

For Petitioner : Mr.N.Mohan

For R1 and R2 : Mr.Suresh Kumar
Government Advocate (CrI.Side)



ORDER

WEB COPY This criminal original petition had been filed seeking a direction to the Respondents 1 and 2 not to interfere with the Civil Dispute in respect of the S.Nos.388/5A, 403/1A, 302, 303/1A1, 303/1A2, 304/1, 304/2 situated in Kappiliapatti, Oddanchathiram Taluk, Dindigul, which is the subject property of O.S.No.250 of 2021, on the file of the Additional District Judge, Palani.

2.The learned Counsel appearing for the Petitioner submits that the third Respondent had given a complaint with the second Respondent herein. Further, he submits that the third Respondent had instituted a suit in O.S.No.250 of 2021, before the learned Principal District and Sessions Judge, Dindigul, which was later transferred to the file of the Additional District Judge, Palani. When the said suit is pending, the second Respondent is summoning the Petitioner at odd hours and causing harassment. Therefore, this petition had been filed seeking direction against the Respondents 1 to 2 not to harass him.

3.The learned Government Advocate (CrI.Side) submits that the Petitioner is alleged to have executed an unregistered sale agreement deed in favour of the third Respondent and subsequently, the Petitioner had earlier in 2019 executed a power of attorney deed in favour of one D.Thangadurai.



Suppressing the same, he had entered in the unregistered sale agreement with the third Respondent. Therefore, the third Respondent had approached the second Respondent regarding the conduct of the Petitioner in suppressing the earlier power of attorney deed.

4.The subject matter of the dispute is now pending before the civil Court and since a suit having been filed by the third Respondent, the complaint given to the second Respondent by the third Respondent itself is not maintainable. Therefore, the Respondents 1 and 2 are directed not to summon the Petitioner or enquire the matter till the civil suit is disposed by the competent civil Court.

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

28.11.2022

Index :Yes/No
Internet : Yes/No
lr



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To

1. The Superintendent of Police,
Dindigul.

2. The Inspector of Police,
Land Grabbing Special Cell,
Dindigul.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

lr

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