



CrI.O.P(MD)No.21034 of 20

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2022

WEB COPY

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P(MD).No.21034 of 2022

Puspharaj,

: Petitioner

Vs

1. The Superintendent of Police,
Pudukkottai District, Pudukkottai

2. The Deputy Superintendent Of Police,
Aranthangi Taluk,
Pudukkottai District

3. The Inspector of Police,
Aranthangi Police Station,
Aranthangi,
Pudukkottai District

4. Mariammal,
5. Saravanan,
6. Jayaraman,
7. Ganeshan,

: Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to directing the Respondents 1 to 3 not to interfere in the civil dispute between the Petitioner and Respondents 4 to 7 in respect of in Survey No.42/4B1 with extent about 50 cents, situated at Mookkudi Villge, Aranthangi Taluk, Pudukkottai District, Pending disposal of the Civil Suit in O.S.No.150 of 2021,



Crl.O.P(MD)No.21034 of 20

on the file of the District Munsif Court, Aranthangi.

WEB COPY

For Petitioner : Mr.K.Baalasundharam

For R1 to R3 : Mr.R.Suresh Kumar
Government Advocate (Crl.Side)

ORDER

This criminal original petition had been filed seeking a direction to the Respondents 1 to 3 not to interfere in the civil dispute between the Petitioner and Respondents 4 to 7.

2.The learned Counsel appearing for the Petitioner submits that the Petitioner had instituted a suit in O.S.No.150 of 2021, on the file of the learned District Munsif, Aranthangi, in which, the Respondents 4 to 7 are the defendants. While so, the fifth Respondent had approached this Court by filing a petition in Crl.O.P(MD)No.14824 of 2022 and impleaded the dead persons as fourth and fifth Respondents and obtained an order from this Court regarding the grant of police protection to him to survey the land in S.No.42/4B1, which measures to an extent of 2 acres and 52 cents in Mookkudi Villge, Aranthangi Taluk, Pudukkottai District.

3.It is the contention of the learned Counsel appearing for the Petitioner



that the Respondent Police are causing harassment to the Petitioner. Further, he submits that the Petitioner's father had obtained a sale deed from one Subaiah, who is the uncle of the Petitioner in CrI.O.P(MD)No.14824 of 2022. When the Civil Court seized of the matter, the Respondent police are harassing the Petitioner. Therefore, this petition had been filed seeking direction against the Respondents 1 to 3.

4.The learned Government Advocate (CrI.Side) submits that based on the order passed in CrI.O.P(MD)No.14824 of 2022, a Surveyor came to the disputed site for surveying it, but he was unable to measure the property due to the objections raised by the Petitioner.

5.Considering the fact that the suit instituted by the Petitioner is pending before the learned District Munsif, Aranthangi, the Petitioner in CrI.O.P(MD)No.14824 of 2022 having obtained an order from this Court against the dead persons is found to be mischievous. Therefore, based on the above said order, the Respondents 1 to 3 herein cannot harass the Petitioner herein. The Respondents 1 to 3 are directed to keep off when the civil suit is pending. The Respondents 1 to 3 are not expected to interfere with the civil matter by summoning the Petitioner, who is a party to the said Civil Suit.



WEB COPY



Cr.L.O.P(MD)No.21034 of 20

6.In the light of the above, this criminal original petition is allowed.

29.11.2022

Index : Yes/No

Internet : Yes/No

lr

To

1. The Superintendent of Police,
Pudukkottai District, Pudukkottai

2. The Deputy Superintendent Of Police,
Aranthangi Taluk,
Pudukkottai District

3. The Inspector of Police,
Aranthangi Police Station,
Aranthangi,
Pudukkottai District

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



WEB COPY



CrI.O.P(MD)No.21034 of 20

SATHI KUMAR SUKUMARA KURUP, J.

lr

CrI.O.P(MD)No.21034 of 2022

29.11.2022