



Crl.O.P.(MD)No.698 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.01.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.698 of 2023

S.Siva

... Petitioner

Vs.

1.The Superintendent of Police,
O/o. Superintendent of Police,
Kanyakumari District,
Kanyakumari.

2.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the respondents 1 and 2 not to interfere in the civil dispute without due process of law.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.R.Sivakumar
Government Advocate (Crl. Side)



WEB COPY



Crl.O.P.(MD)No.698 of 2023

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the respondents 1 and 2 not to interfere with the civil dispute without due process of law.

2. The petitioner has earlier filed a writ petition in W.P.(MD)No. 8279 of 2022 forbearing the respondents therein from interfering in the petitioner's avocation engaging Two Battery operated Remote control car to cater to the tourists in Tiruveni Sangamam Beach in Kanyakumari District and this Court vide order dated 27.04.2022 directed the respondents therein to consider the representation of the petitioner dated 23.02.2022 and pass orders preferably within a period of thirty days from the date of receipt of copy of that order.

3. The learned counsel appearing for the petitioner as well as the learned Government Advocate (Criminal Side) appearing for the respondents would submit that the Hindu Religious and Charitable Endowments Department, who is the competent authority to pass order, has not passed any order so far.



Crl.O.P.(MD)No.698 of 2023

4. Since this Court has directed the Hindu Religious and Charitable Endowments Department to pass orders and in case, if there is any alternate area within the temple premises or surrounding the temple, such area was ordered to be considered for allotment to the petitioner in terms of the provisions of the Religious Institution (Lease of Immovable Property) Rules, 1963, the petitioner, without approaching the competent authority or without taking any steps to get orders in pursuance of this Court order, has approached this Court to direct the police officials. Hence, this Court is not inclined to issue any direction. Accordingly, this Criminal Original Petition stands dismissed.

11.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm



WEB COPY



Crl.O.P.(MD)No.698 of 2023

K.MURALI SHANKAR,J.

csn

To

- 1.The Superintendent of Police,
O/o. Superintendent of Police,
Kanyakumari District,
Kanyakumari.
- 2.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.698 of 2023

Dated: 11.01.2023