



Crl.O.P.(MD)No.1679 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 30.01.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.1679 of 2023

Narambunathan

... Petitioner

Vs.

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

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

3.Krishnamoorthy

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the second respondent not to interfere in the civil dispute pending between the petitioner and the third respondent, on the basis of the petitioner's representation, dated 12.12.2022, 13.01.2023 and 23.01.2023.

For Petitioner : Mr.A.Sankararamasubramanian,

For R1 & R2 : Mr.SS.Madhavan,
Government Advocate (Criminal Side)
for R1 and R2.



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ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the second respondent not to interfere in the civil dispute pending between the petitioner and the third respondent, on the basis of the petitioner's representation, dated 12.12.2022, 13.01.2023 and 23.01.2023.

2. The learned counsel for the petitioner would submit that the petitioner has already filed a suit in O.S.No.136 of 2022 for permanent injunction restraining the third respondent and his men from conducting functions in the suit temple; that the third respondent has already filed a written statement and that the case is pending for trial.

3. The learned Government Advocate (Criminal Side) appearing for the State would submit that after receipt of the complaint from the third respondent, both parties were summoned and the second respondent has conducted peace committee meeting and both parties have agreed for the terms decided at the meeting and whereunder, the petitioner and his group



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has agreed to hand over one key of the temple to the third respondent, so as to enable him to offer prayers.

4. As rightly contended by the learned counsel for the petitioner, the second respondent has no right or *locus standi* to conduct the peace committee meeting and impose such a resolution on the petitioner. Since the civil suit is pending, the second respondent has no right to interfere with the temple issue.

5. It is further evident that the petitioner has preferred a complaint before the first respondent and the first respondent has directed the second respondent to follow the decision of the Hon'ble Supreme Court in ***Lalita Kumari Vs. Government of Uttar Pradesh and Others*** reported in (2014) 2 SCC 1, and pass orders within 15 days from the date of receipt of that proceedings. But till now, no order was passed.

6. In view of the above, the second respondent is directed to consider the complaint of the petitioner and pass orders within a period of one week from the date of receipt of copy of this order.



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WEB COPY 7. With the above direction, this Criminal Original Petition stands disposed of.

30.01.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
das

To

- 1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Inspector of Police,
Ambasamudram Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

das

Order made in
Crl.O.P.(MD)No. 1679 of 2023

Dated: 30.01.2023