



CRL OP(MD). No.11172 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 22.06.2023

CORAM

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11172 of 2023

Karuppaiah

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Muthukulathur,
Ramanathapuram District.

2.The Inspector of Police,
Kadaladi Police Station,
Kadaladi, Ramanathapuram District.

3.The Sub Inspector of Police,
Kadaladi Police Station,
Kadaladi, Ramanathapuram District.

4.Shanmugavalli

Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents 2 and 3 not to interfere into the civil dispute, which is subject matter of suit in OS.No.70 of 2022 before the learned District Munsif Court, Kadaladi in respect of the property in Door No.14, Periyar Memorial Samathuvapuram, K. Karungulam Village, Kadaladi



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Taluk, Ramanathapuram District and not to harass the petitioner and his family members in the guise of enquiry based on the complaint of the 4th respondent.

For Petitioner : Mr.M.S. Jeaykarthik

For Respondents 1 to 3 : Mr. B. Nambi Selvan
Additional Public Prosecutor

For 4th respondent : Mr. K. Kumaradesikan

ORDER

This Criminal Original Petition has been filed to direct the respondents 2 and 3 not to interfere into the civil dispute, which is subject matter of suit in O.S.No.70 of 2022, before the learned District Munsif Court, Kadaladi in respect of the property in Door No.14, Periyar Memorial Samathuvapuram, K. Karungulam Village, Kadaladi Taluk, Ramanathapuram District and not to harass the petitioner and his family members in the guise of enquiry based on the complaint of the 4th respondent.

2. On the basis of the complaint given by the 4th respondent enquiry was undertaken in CSR.No.49 of 2023 and during the course of



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enquiry both the parties appeared and this petitioner gave an undertaking that he will hand over the possession to the the 3rd respondent and on that basis, the said complaint was closed.

3. Now, the grievance of the petitioner is that the suit is pending between the parties in O.S.No.70 of 2022, before the District Munsif Court, Kadaladi, which was filed by this petitioner against the private respondents and Government, for permanent injunction and the same is stated to be pending.

4. Perusal of the records it is seen that the above said suit stated to be filed in the year 2022, this enquiry has been conducted in the year 2023, during the pendency of the above said suit, and the same was also closed. The second respondent ought to have directed the parties to work out the remedy in the pending suit itself.

5. In view of the above facts and circumstances and that the complaint was closed, nothing survives for adjudication.



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6. With the above observation, this Criminal Original petition is disposed of.

22.06.2023

Index : Yes / No
Internet: yes / No
trp

To

1.The Deputy Superintendent of Police,
Muthukulathur,
Ramanathapuram District.

2.The Inspector of Police,
Kadaladi Police Station,
Kadaladi, Ramanathapuram District.

3.The Sub Inspector of Police,
Kadaladi Police Station,
Kadaladi, Ramanathapuram District.

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



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G.ILANGO VAN,J

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