



CrI.O.P.(MD)No.11398 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 10.07.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CRL.O.P.(MD)No.11398 of 2023

1.Kamar Nisha Begam

2.Umar Mukthar

... Petitioners

Vs.

1.State represented by its
Inspector of Police,
S.S.Colony Police Station,
Madurai District.

2.The Commissioner,
Madurai Corporation,
Madurai.

3.A.Maboob Ali @ Abhuthahir

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, praying this Court to direct the respondents not to interfere in the civil dispute between the petitioners and the 3rd respondent and not to harass the petitioners in any way unlawfully to evict them from the property.

For Petitioners : Mr.A.Ganesan

For R1 : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

For R3 : Mr.V.M.Jegadeesha Pandian



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ORDER

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This Criminal Original Petition is filed seeking for a direction to the respondents not to interfere in the civil dispute between the petitioners and the 3rd respondent and not to harass the petitioners in any way unlawfully to evict them from the property.

2.It is submitted by the learned counsel appearing for the petitioners that there is a property dispute between the petitioners and the 3rd respondent, as the 3rd respondent has started to claim the property exclusively based on the gift settlement deed said to be executed by his mother. The petitioners on the other hand submitted that on the date of the alleged execution of the gift settlement deed, the mother of the 3rd respondent was unsound mind, thereby the petitioners challenged the said gift settlement deed and also filed a suit for partition and another suit for grant of interim injunction.

3.The learned Additional Public Prosecutor for the 1st respondent submitted that the representation given by the 3rd respondent was disposed of on 11.02.2023 itself. Therefore, so far as this issue is concerned, the respondent Police directed the parties to approach the Civil Court in order to redress the grievance pending between them.



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4.This petition is also filed seeking for a direction to the Commissioner, Madurai Corporation / 2nd respondent. It is to be noted that the petitioner filed this petition under Section 482 of Cr.P.C., where under a direction cannot be given to the Corporation not to demolish the house allegedly belonging to the petitioner, for which, there is a dispute with the 3rd respondent. Therefore, no orders are required to be passed in this petition. Accordingly, this Criminal Original Petition is closed.

10.07.2023

NCC : Yes / No

Index : Yes/No

Internet : Yes/No

Yuva

To

1.The Inspector of Police,

S.S.Colony Police Station,

Madurai District.

2.The Additional Public Prosecutor,

Madurai Bench of Madras High Court,

Madurai.



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DR.D.NAGARJUN. J.

Yuva

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