



Crl.O.P.(MD) No.12293 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD) No.12293 of 2023

K.Ponginan

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Ottanchatram,
Dindigul District.

3.The Inspector of Police,
Ottanchatram Police Station,
Dindigul District.

4.P.Veluchamy

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 3rd respondent not to interfere in the civil dispute under the guise of enquiry on the basis of the petitioner's representation dated 19.06.2023.



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For Petitioner : Mr.C.Nihil Nandha for
Mr.D.Kirubakaran

For R1 to R3 : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)

ORDER

This petition is filed seeking for a direction to the respondent police not to interfere in the civil dispute between the petitioner and the respondent No.4.

2.It is submitted by the learned counsel for the petitioner that during the life time of the petitioner's father, he has executed a settlement deed in favour of the petitioner in respect of the property situate in S.No.108/1A, admeasuring 79 cents, S.No.108/1D, admeasuring 1.09 cents, 108/2B, admeasuring 1.21 acres and 111/4 admeasuring 93 cents, at Kethaiyurambu Village, Ottanchatram Taluk, Dindigul District. The respondent No.3, who is none other than the brother of the petitioner's father, has filed O.S.No.1243 of 2022 on the file of Sub Court, Ottanchatram seeking declaration of title and the same is still pending. During the pendency of the said suit, the petitioner in collusion with the respondent Nos.1 to 3 police have been insisting to keep landed property fallow pending disposal of the petition.



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3.The learned Government Advocate (Crl.side) submits that there are disputes between the petitioner and the respondent No.4 in respect of the landed properties and accordingly, on a complaint received by the police, a case has been registered in Crime No.25 of 2023 for the offences punishable under Sections 147, 148, 427, 294(b) and 506(2) IPC against the petitioner. Similarly, a case has also been registered against the respondent No.4 for the offences punishable under Sections 427, 294(b) and 506(2) IPC in Crime No.284 of 2023. It is submitted by the learned Government Advocate (Crl.side) that the respondent police are not interfering in respect of the civil dispute between the petitioner and the respondent No.4 and they have advised both the parties to approach the civil Court. The same is recorded.

4.Since the respondent police have undertaken not to intervene in the civil dispute between the petitioner and the respondent No.4, the cause does not survive and therefore, this Petition is dismissed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

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- 2.The Deputy Superintendent of Police,
Ottanchatram,
Dindigul District.
- 3.The Inspector of Police,
Ottanchatram Police Station,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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