



CRL.O.P.(MD)No.12480 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CRL.O.P.(MD)No.12480 of 2023

M.Solai Andavan

... Petitioner

Vs

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

2.The Deputy Superintendent of Police,
Thirupathur, Sivagangai District.

3.The Inspector of Police,
Natchiyarpuram Police Station,
Sivagangai District.

4.N.Subbaiah

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, directing the first respondent to transfer the investigation of the petitioner's complaint in C.S.R.No.161 of 2023 from the file of the third respondent to the second respondent for investigation.

For Petitioner : Mr.M.Saravanan

For R-1 to R-3 : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)



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ORDER

This Criminal Original Petition is filed seeking for a direction to the Police to transfer the investigation in C.S.R.No.161 of 2023 from the third respondent to the second respondent.

2. It is alleged by the learned counsel for the petitioner that the petitioner is in possession of poramboke natham land, against which, the respondent No.4 has got claim. The petitioner stated to have approached this Court and filed this petition, wherein, interim directions were given in favour of the petitioner, which are still pending. The respondent No.4 is stated to be a relative of a P.A. of some Minister and through whom he has been allegedly trying to influence the District Collector to get favorable orders. On which the petitioner is stated to have given a complaint to the respondent Police against the respondent No.4.

3. Learned Government Advocate (Criminal Side) submits that the complaint given by the petitioner was registered as C.S.R.No.161 of 2023 and both the parties were called and enquiry was initiated and the petitioner has with his own handwriting given an undertaking that he has been satisfied the way the enquiry was done and reported that they will approach the appropriate authorities to resolve the dispute with respondent No.4.



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4. The dispute between the parties is purely civil in nature and the petitioner has rightly approached this Court seeking for some directions. In case, if the petitioner is not satisfied with the outcome of enquiry in C.S.R.No. 161 of 2023, since the respondent No.4 has committed an offences, the petitioner is at liberty to approach the appropriate Criminal Court and file a complaint under 200 Cr.P.C.

5. With this observation, this Criminal Original Petition is closed.

11.07.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

tsg

To

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

2.The Deputy Superintendent of Police,
Thirupathur, Sivagangai District.

3.The Inspector of Police,
Natchiyarpuram Police Station,
Sivagangai District.

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

<https://www.mhc.tn.gov.in/judis>



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DR.D.NAGARJUN, J.

tsg

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