



CRL.O.P.(MD)No.12715 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:17.07.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CRL.O.P.(MD)No.12715 of 2023

Pappu @ Pappathi

... Petitioner

Vs

1.The Superintendent of Police
Theni District.

2.The Deputy Superintendent of Police,
Anti-land Grabbing Special Cell,
Theni District.

3.The Inspector of Police,
Anti-Land Grabbing Special Cell,
Theni District.

4.Suresh

5.Rajalakshmi

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, directing the second respondent herein not to interfere with the civil dispute in between the petitioner, fourth and fifth respondents herein.

For Petitioner : Mr.S.Ramasamy

For R-1 to R-3 : Mr.SS.Madhavan
Government Advocate (Criminal Side)

For R-4 & R-5 : Mr.R.Suriyanarayanan



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ORDER

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This Criminal Original Petition is filed by the petitioner seeking a direction to the second respondent Police not to interfere in the civil dispute which the petitioner is having with respondent Nos.4 and 5.

2. It is submitted by learned counsel for the petitioner that he has been the owner and enjoying 55 cents of land in Survey No.607 in Re-Survey No.122, situated at Bodi Town, Theni District, which he got under settlement by way of registered document bearing Document No.4049/2006 dated 18.12.2006. It is submitted that the petitioner has built a house over the said 55 cents of land and has been enjoying the same, however, respondent Nos.3 and 4, who have purchased some piece of land in Survey No.607 in Re-Survey No. 122, have claimed the entire land in Survey No.607 in Re-Survey No.122 including 55 cents of land belonging to the petitioner. It is submitted that respondent Nos.4 and 5 have earlier filed a complaint before the Deputy Superintendent of Police, Theni District and the said Police have conducted an enquiry and closed the same, holding that the dispute between the petitioner and respondent Nos.4 and 5 is purely civil in nature and three months thereafter, respondent Nos.4 and 5 have filed a fresh complaint before the second respondent Police, who in-turn, has been directing the petitioner to hand over the 55 cents of land and thereby, sought for suitable directions to the respondent Police not to intervene in the civil dispute.



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3. Learned Government Advocate (Criminal Side) on the other hand submits that basing on the representation given by respondent No.4, the Police are about to initiate the enquiry and since the disputes between the petitioner and respondent Nos.4 and 5 are purely civil in nature, he has instructed the Police concerned to dispose of the matter accordingly after an enquiry.

4. Mr.R.Suryianarayanan, Advocate has represented on behalf of respondent Nos.4 and 5 though no vakalat is filed, requests the Court to grant time for filing counter. Since learned Government Advocate (Criminal Side) has already instructed the Police to dispose of the representation given by respondent No.4 to respondent No.2 after making an enquiry as the matter is of purely civil in nature, no further directions are required to be given.

5. The respondent Police are directed to dispose of the representation within a period of two weeks from the date of receipt of a copy of this order. It is needless to say that the Police are not requested to intervene in the civil dispute between the parties.



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6. With the above directions, the Criminal Original Petition stands

disposed of.

17.07.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

tsg

To

1.The Superintendent of Police
Theni District.

2.The Deputy Superintendent of Police,
Anti-land Grabbing Special Cell,
Theni District.

3.The Inspector of Police,
Anti-Land Grabbing Special Cell,
Theni District.

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



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DR.D.NAGARJUN, J.

tsg

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