



Crl.O.P(MD)No.13709 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED:01.08.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P(MD) No.13709 of 2023

M.Kombiah Thevar

... Petitioner

Vs

1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2.The Deputy Commissioner of Police,
Tirunelveli City,
Tirunelveli.

3.The Assistant Commissioner of Police,
Tirunelveli Town,
Tirunelveli.

4.The Inspector of Police,
Pettai Police Station,
Tirunelveli City.

5.Senthil Arumugaraja

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent not to interfere in the petitioner's civil dispute which is the subject matter of civil suit in O.S.No.164 of 2023, on the file of the Principal District Munsif Court, Tirunelveli.

For Petitioner

: Mr.T.Lenin Kumar

For R1 to R4

: Mr.B.Thanga Aravindh

Government Advocate (Criminal side)



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ORDER

This Criminal Original Petition is filed seeking for a direction to direct the second respondent police not to interfere in the petitioner's civil dispute which is the subject matter of civil suit in O.S.No.164 of 2023, on the file of the Principal District Munsif Court, Tirunelveli.

2. It is submitted by the learned counsel for the petitioner that there are disputes between the petitioner and the un-official respondent in respect of immovable property, thereby, the petitioner and his wife filed a suit in O.S.No. 164 of 2023, on the file of the Principal District Munsif Court, Tirunelveli for mandatory injunction of removal of an encroachment and the same is pending. The fifth respondent earlier has made a representation before the fourth respondent in respect of same civil dispute, based on which, the fourth respondent has conducted an enquiry and closed the same as the dispute between the petitioner and the fifth respondent is purely civil in nature.

3. It is further submitted that the fifth respondent, who has been working in the fourth respondent office, has filed similar complaint again before the second respondent office, based on which he has been harassing the petitioner.



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4. The learned Government Advocate (Crl.side) appearing for the respondents 1 to 4, on the other hand, submitted that the second respondent does not know about the previous enquiry allegedly done by the fourth respondent. The learned Government Advocate has also pointed out that the representation dated 27.05.2023 stated to have been given by the petitioner does not have the signature and does not have the initial or stamp of the office of the second respondent, however would submit that the petition given by the petitioner will be enquired into by the police fairly and disposed of the same within two weeks.

5. The said submission of the learned Government Advocate (Crl.side) is recorded. Accordingly, this Criminal Original Petition is disposed of. The fourth respondent is directed to conduct the enquiry and dispose the representation of the petitioner, dated 27.05.2023 within a period of two weeks from the date of receipt of a copy of this order.

NCC:yes/no
Index:yes/no
Internet:yes/no
am

01.08.2023



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- To
- 1.The Commissioner of Police,
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Tirunelveli.
 - 2.The Deputy Commissioner of Police,
Tirunelveli City,
Tirunelveli.
 - 3.The Assistant Commissioner of Police,
Tirunelveli Town,
Tirunelveli.
 - 4.The Inspector of Police,
Pettai Police Station,
Tirunelveli City.
 - 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN, J.

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