



Crl.O.P.(MD)No.15904 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **12.09.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

Crl.O.P.(MD) No.15904 of 2023

Chinnapoovan

... Petitioner

Vs.

1.The State rep.by
The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.

2.The State rep.by
The Deputy Superintendent of Police,
Vedasandur,
Dindigul District.

3.The State rep.by
The Inspector of Police,
Eriyodu Police Station,
Dindigul District.

4.Periyasangan

5.Chinnapoovan

6.Kanniammal

7.Rasu @ Veerasangan

8.Ponnusamy

9.Ooran

..Respondents



PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents 1 and 2 to consider the representation dated 20.04.2023 and consequently, direct the respondents 1 and 2 to direct the third respondent not to interfere in the civil dispute and harassing the petitioner's family members.

For Petitioner : Mr.R.Senthil Kumar

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

ORDER

This Criminal Original Petition is filed seeking for a direction to the respondents Police not to harass the petitioner under the guise of a complaint given by the unofficial respondents.

2. It is submitted by the learned counsel appearing for the petitioner that there are disputes in respect of immovable property between the petitioner and the unofficial respondents and that the respondents 4 to 6 have filed a suit in O.S.No.100 of 2012 before the Sub Court, Vendasandur, which was dismissed and an appeal was dismissed in A.S.No.30 of 2021 before the learned Additional District and Sessions Judge, Dindigul and it is still pending.



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3. It is further submitted that after the disposal of the civil suit, the unofficial respondents have approached the respondents Police and gave a complaint, basing on which, the unofficial respondents have not been permitting the petitioner to enter into his land and cultivate.

4. The dispute between the petitioner and the unofficial respondents is essentially civil in nature. Since the petitioner has been asserting that he has been in possession of the property as owner, the petitioner should have approached the civil Court and filed an appropriate suit.

5. The learned Government Advocate (Criminal side) appearing for the respondents Police submits that the representation given by the petitioner dated 20.04.2023 was enquired into and on 08.06.2023, the petitioner appeared before the Police and gave an undertaking in writing that he will approach the civil Court in order to resolve the disputes with the unofficial respondent No.4 to 9.

6. The same is recorded. Since the dispute between the petitioner and the unofficial respondent is purely civil in nature and the petitioner



himself has given an undertaking in writing that he will approach the civil Court, no further orders can be passed. However, it is needless to say that the respondents Police are not required to interfere in the civil dispute, unless any offence is committed or is about to be committed.

7. Accordingly, this Criminal Original Petition is disposed of.

Index : Yes/No
Internet : Yes/No
ssb

12.09.2023

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.
- 2.The Deputy Superintendent of Police,
Vedasandur,
Dindigul District.
- 3.The Inspector of Police,
Eriyodu Police Station,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN. J.

ssb

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