



CrI.O.P.(MD)No.18144 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **11.10.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

CrI.O.P.(MD)No.18144 of 2023

R.Hemalatha

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
District Crime Branch No.2,
Trichy District.

2.The Inspector of Police,
District Crime Branch No.2,
Trichy District.
Trichy.

3.P.T.Rajan

4.S.Suresh

5.R.Priya Rajan

6.Sundarraaj

... Respondents / Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents 1 and 2 not to interfere in the civil dispute exists between the petitioner and the respondents 3 to 6 in respect of the Hema Kitchen Restaurant and Hotel situated at No.111/3, NH-45, Trichy-Chennai National Highways, Siruganur Village, Manachanallur



Taluk, Trichy District, which is the subject matter of civil suit in O.S.No. 269 of 2023 on the file of the Principal District Munsif, Trichy, under the guise of enquiry.

For petitioner : Mr.T.Lenin Kumar

For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the respondents 1 and 2 not to interfere in the civil dispute exists between the petitioner and the respondents 3 to 6 in respect of the Hema Kitchen Restaurant and Hotel situated at No.111/3, NH-45, Trichy-Chennai National Highways, Siruganur Village, Manachanallur Taluk, Trichy District, which is the subject matter of civil suit in O.S.No.269 of 2023 on the file of the Principal District Munsif, Trichy, under the guise of enquiry.

2. Learned counsel for the petitioner submitted that the due to competition in purchase of property, trouble has arisen between the parties. On 04.04.2023, the petitioner has sent a lawyer notice to respondents 4 to 6. Since no reply has been received, a civil suit in O.S.No.269 of 2023 was been filed against respondents 4 to 6 herein



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before the Principal District Munsif Court, Lalgudi, seeking permanent injunction and the suit is pending. At the instance of the respondents 4 to 6 herein, the second respondent is interfering in this matter. Hence this petition has been filed to restrain the respondents 1 and 2 from interfering with the civil suit pending between the petitioner and the respondents 4 to 6.

3. Learned Government Advocate (Crl.side) submitted that on the basis of the complaint given by respondents 3 and 4, enquiry has been undertaken and during the course of enquiry, summon has been issued to the petitioner. He appeared for enquiry once and promised to appear again for enquiry, along with documents. Later, without responding to the summon, the petitioner has filed this petition stating that he is harassed by the officials to vacate the premises.

4. Let the petitioner and the respondents 3 and 4 appear before the respondent and give statement with regard to the issue, by producing the documents pertaining to the sale agreement and pendency of the suit, etc. The respondent may consider the documents. If anything found unfavourable to the petitioner, he may workout remedy through appropriate proceedings. If found to be civil, then it may be closed. The



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enquiry must be completed within a period of 15 days from the date of appearance of the parties.

5. With this direction, this Criminal Original Petition is disposed of.

11.10.2023

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

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To

- 1.The Deputy Superintendent of Police,
District Crime Branch No.2, Trichy District.
- 2.The Inspector of Police, District Crime Branch No.2,
Trichy District. Trichy.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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