



Crl.O.P.(MD)No.19865 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.19865 of 2024

Saratha Devi

: Petitioner

Vs.

1.State rep., by
The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Deputy Superintendent of Police,
Kamuthi Division,
Ramanathapuram District.

3.The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.

4.Pattani @ Murugesan

: Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the third respondent not to interfere in the civil dispute between the petitioner and the fourth respondent based on the representation dated 23.09.2024.

For Petitioner : Mr.S.Sabbanikarburajothi

For R1 to R3 : Mr.A.Thiruvadikumar
Additional Public PRosecutor



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ORDER

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This petition has been filed to direct the third respondent not to interfere in the civil dispute between the petitioner and the fourth respondent based on the representation dated 23.09.2024.

2. The case in brief is that the petitioner is a married woman. She has two daughters, who are studying. They are residing with petitioner's father. The subject land in S.No.411/1B, Patta No.1453 to an extent of 3.30.0 Hectares (7 ½ acres) belongs to petitioner's grand-father viz., Ponnuchamy Thevar. After his demise, the petitioner's father was in possession of the property and now, the petitioner is in possession and enjoyment of the said property, wherein she is carrying on agricultural activities. While that being so, one Pattani @ Murugesan, fourth respondent herein, with an intention to grab the said land created forged document and claimed as if the subject property belonged to him, abused the petitioner and her father and restrained them to enter the subject property. In this regard, the petitioner's father gave complaint before the third respondent, but no step was taken, on the contrary, the third respondent is harassing the petitioner and her father on the guise of



enquiry. In this regard, the petitioner has sent a representation to the Superintendent of Police, Ramanathapuram District, but still the harassment is continued. Added to it, Mandalamanikkam police station is also calling the petitioner for enquiry and also threatened her not to enter into subject land. Hence, seeks direction of this Court. Further, it is stated that on verification, the petitioner found that patta in respect of subject property has been wrongly recorded in the name of one Venkateshwaran. In this regard, the petitioner is taking steps to rectify mistake and to make correction.

3. The learned Additional Public Prosecutor appearing for the respondent police, on instructions, would submit that on the petitioner's complaint, CSRNo.138 of 2024, dated 14.11.2024. For the purpose of enquiry, she was called and the petitioner's apprehension is un-founded.

4. In view of the above, this Court directed the petitioner to appear before the Kamuthi Police Station/third respondent herein and the third respondent shall proceed with the enquiry and complete the same, without calling the petitioner unnecessarily and without harassing her. The petitioner's apprehension, both enquiry by the Madalamanickam Police



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Station also to be completed by third respondent, since Mandalamanickam Police Station comes under the jurisdiction of the third respondent. Hence, comprehensive enquiry to be conducted and petitioner not to be harassed. The respondent police are reminded of the ADGP Circular, Police personnel to keep away from civil dispute, failing which, departmental action can be taken against the erring officials.

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

18.11.2024

NCC : Yes/No
Index : Yes / No
Rmk

To

- 1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 2.The Deputy Superintendent of Police,
Kamuthi Division,
Ramanathapuram District.
- 3.The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

Rmk

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