



Crl.O.P.(MD) No.772 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2025

CORAM

**THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR**

**Crl.O.P.(MD) No.772 of 2025**

V.Ashokraj

... Petitioner

Vs.

1.The Superintendent of Police,  
Thanjavur District,  
Thanjavur District.

2.The Inspector of Police,  
Kumbakonam East Police Station,  
Thanjavur District.

3.M.Vallikannan

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, 1973 to direct the second respondent not to harass the petitioner under the guise of enquiry frequently.

For Petitioner : Mr.S.Gurumoorthy

For R1 & R2 : Mr.A.Thiruvadi Kumar  
Additional Public Prosecutor

**ORDER**

The Criminal Original Petition has been filed under Section 482 of the Criminal Procedure Code, 1973, seeking to direct the second



Crl.O.P.(MD) No.772 of 2025

respondent not to harass the petitioner under the guise of enquiry frequently.

2. The petitioner sent a representation on 06.01.2025 to the first respondent, stating that the petitioner's father, the third respondent herein, was harassing the petitioner and using the police to force the petitioner to vacate the premises. The petitioner's father, the third respondent, had previously lodged a complaint with the District Collector, Thanjavur District who conducted an inquiry and, *vide* proceedings in Mu.Mu.No. 11488/2023 dated 07.11.2024, concluded that the property does not belong to the third respondent but to the Thirupathi Devasthanam. In these circumstances, the petitioner's father, the third respondent, cannot claim rights over the property and has been forcing the petitioner to vacate the premises.

3. The learned Additional Public Prosecutor appearing for the first and second respondents submitted that the petitioner's father, the third respondent herein, was formerly a municipal driver and had retired from service. The third respondent, his wife, and his children, namely Anburaj, Arivalagan, the petitioner Ashokraj, and Anbulagi were living together in



Crl.O.P.(MD) No.772 of 2025

the same house for the past 40 years. All the other children, except the petitioner Ashokraj, are now living in other places. The petitioner's mother passed away in 2006. Thereafter, the petitioner and his father continued to live together. The petitioner later married and had two children. However, the petitioner chased his father away. As a result, the petitioner's father, the third respondent, has filed the complaint.

4. He further submitted that the petitioner has been called for an enquiry. The petitioner is refusing to allow his father to enter the house and stay there. On the other hand, the petitioner has converted the house and rented it out to several persons, making a profit. Hence, since the property is being enjoyed by the third respondent, the petitioner's father, for the past 40 years, the petitioner cannot take advantage of the fact that the property is temple property and chase away his father. For the purpose of investigation and the well-being of a senior citizen, the petitioner has been called.

5. Considering the above and the complaint of the third respondent, it is evident that it is the petitioner, who is harassing his father, the third respondent herein, chased him away from the house, took possession of



Crl.O.P.(MD) No.772 of 2025

the property, and has not allowed his father to enjoy the same in his old age. The petitioner's conduct cannot be accepted. The petitioner shall appear before the second respondent police on 28.01.2025. The second respondent shall ensure that the life and property of the third respondent are protected.

6. In the result, this Criminal Original Petition stands disposed of.

20.01.2025

Index: Yes/ No  
Neutral Citation: Yes / No  
Speaking Order/Non-Speaking Order

JEN

To:

- 1.The Superintendent of Police,  
Thanjavur District,  
Thanjavur District.
- 2.The Inspector of Police,  
Kumbakonam East Police Station,  
Thanjavur District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



WEB COPY



*Crl.O.P.(MD) No.772 of 2025*

**M.NIRMAL KUMAR, J.**

JEN

Crl.O.P.(MD) No.772 of 2025

20.01.2025