



Crl.O.P.(MD)No.2775 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :17.02.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

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Sudha Merlin

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by the Superintendent of Police,
Kanyakumari District.
Kanyakumari.

2. The Inspector of Police,
Thakkalai Police Station,
Kanyakumari District.

3. Jose

4. Rethinakumar

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS,2023, to direct the 2nd respondent not to interfere in the civil dispute and not to harass the petitioner and her family members in the guise of enquiry.

For Petitioner : Mr.A.R.Kannappan

For R-1 & R-2 : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed by the petitioner to



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direct to the 2nd respondent not to interfere in the civil dispute and not to harass the petitioner and his family members in the guise of enquiry.

2. According to the petitioner, he has property in S.No.752/23A to an extent of 3 acres through a partition deed dated 01.09.2024. While so, he has tried to put up a compound wall with a tin shed, but the respondents no. 3 and 4 have threatened the petitioner not to put up compound wall. Therefore, he sent a representation before the respondents no.1 and 2 on 28.01.2024, but they have not considered the same. However, the 2nd respondent police have harassed the petitioner based on the complaint given by the respondents no.3 and 4, who have no right over the property. Hence, he filed this petition.

3. The Government Advocate (Criminal) appearing for the respondents no.1 and 2 would submit that there is a dispute between two religious people in respect of the Temple and thereby, there are chances for communal clash and already they sent a requisition to the concerned Tahsildar to convene peace meeting and the same is under consideration by the Tahsildar. The respondent police have not interfered with the civil dispute, however in order to avoid the law and order issue, they have sent the representation to the concerned Tahsildar to conduct the peace meeting.



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Therefore, nothing survives for further adjudication in this case.

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4. Since there is a dispute between the parties in respect of worshipping the Temple, the respondent police have enquired the petitioner based on the complaint given by the private respondents no.3 and 4 and now, as per the respondents no.1 and 2, they have sent a request to the Tahsildar for conducting of peace meeting. Therefore, if any dispute in respect of title over the property, the parties can approach the appropriate Civil Court to establish the title. The 2nd respondent has also stated that they have not interfered with the civil dispute, however, to avoid the law and order issue, they enquired the petitioner. Therefore, recording the above said submission of the 2nd respondent and the matter is also referred to concerned Tahsildar for convening the peace committee meeting, thereby it is for the concerned Tahsildar to take appropriate decision in this matter. In view of the above said discussions, this Criminal Original Petition is disposed of. No costs.

17.02.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

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P. DHANABAL, J.,

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To

1. The Superintendent of Police,
Kanyakumari District.
Kanyakumari..
2. The Inspector of Police,
Thakkalai Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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