



Crl.O.P.(MD)No.3446 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :24.02.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

Crl.O.P.(MD)No.3446 of 2025

S.Krishna Radha

... Petitioner

Vs

1. The State of Tamil Nadu,
Represented by the Commissioner of Police,
Tirunelveli District.

2. Tirunelveli Medical College Hospital,
Tirunelveli.

3. The Inspector of Police,,
Tirunelveli Medical College Police
Station,Tirunelveli.

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to issue a direction, directing the 3rd respondent not to harass the petitioner under the guise of enquiry of the oral complaint given by the Respondent no.2.

For Petitioner : Mr.G.Chidambaram

For R1 - R3 : Mr.R.M.Anbunithi (Crl. Side)



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ORDER

This petition has been filed by the petitioner to direct the 3rd respondent not to harass the petitioner under the guise of enquiry based on the oral complaint given by the 2nd respondent.

2. According to the petitioner, she is the lease holder of the canteen situated in Thirunelveli Medical College Hospital and the 2nd respondent without following the procedures illegally attempted to evict the petitioner. Already the petitioner has filed a petition before this Court and the same was dismissed. Taking advantage of the same, now the 2nd respondent orally requested the 3rd respondent and based on that request, now the 3rd respondent police have attempted to evict the petitioner illegally. Therefore, he has filed this petition.

3. The learned Additional Public Prosecutor (Criminal Side) appearing for the respondents no.1 and 3 would submit that the petitioner is a lessee, who running canteen in the Tirunelveli Medical College Hospital and after lapse of the lease period, the petitioner wants to continue the canteen. Already the petitioner has filed a writ petition by challenging the eviction notice issued by the 2nd respondent and the same was dismissed on 17/02/2025. Based on that Order, the 2nd respondent has approached the



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respondents no. 1 and 3 and thereby, they have called the petitioner for enquiry. In the mean time, the petitioner has filed this petition.

4. Considering the limited scope of prayer sought for in this petition, this Court even without issuing notice to the 2nd respondent inclined to pass order.

5. According to the petitioner, the respondent police have harassed the petitioner based on the oral complaint given by the 2nd respondent. According to the respondents no. 1 and 3, there is a dispute pending between the petitioner and the 2nd respondent in respect of vacating canteen premises. The petitioner is the lessee and the 2nd respondent is the Dean of the Tirunelveli Medical College Hospital. Even after lapse of the lease period, the petitioner is in possession without handing over the premises to the Medical College, therefore there is a dispute between the parties. Already the eviction notice was issued and the same was challenged before this Court in W.P. (MD)No.2574 of 2025 and the same was dismissed. Therefore, recording the submission of the 3rd respondent that based on the complaint given by the 2nd respondent, they have called the petitioner for enquiry and Since the petitioner is only a lessee and she is continuing in possession even after the lease period and already this Court also dismissed



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the writ petition in W.P.(MD)No.2574 of 2025 dated 07.02.2025, it is for the 2nd respondent to take appropriate steps. If any assistance required by the 2nd respondent, it is the duty of the respondents no. 1 and 3, to give adequate police protection.

6. Recording the above said submissions of the learned Additional Public Prosecutor, this Criminal Original Petition is disposed of.

24.02.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
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P. DHANABAL, J.,

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To

- 1.The Commissioner of Police,
Tirunelveli District.
- 2.The Dean,
Tirunelveli Medical College Hospital,
Tirunelveli.
3. The Inspector of Police,,
Tirunelveli Medical College Police
Station,Tirunelveli.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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