

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.30266 of 2015

Kuppusamy

... Petitioner

Vs

The Inspector of Police,
Vennandhur Police Station,
Namakkal District

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to provide police protection based on the petitioner's complaint dated 29.11.2014 in CSR No.289 of 2015 to his life and property forthwith.

For Petitioner : Mr.C.Prabakaran

For respondent : Mr.C.Emalias,
Addl.Public Prosecutor

ORDER

The present criminal original petition has been filed seeking a direction to the respondent to provide police protection based on the petitioner's complaint dated 29.11.2015 in CSR No.289 of 2015 to his life and property forthwith.

2. It is the case of the petitioner that there was a civil dispute between the petitioner and one Marimuthu, his son Balamurugan, his wife Vasuki regarding a common pathway. Hence, a suit was filed by the wife of said Kandasamy against the petitioner and other persons in O.S.No.36 of 2006 on the file of the District Munsif Court, Rasipuram and the same was dismissed for default on 10.8.2009. Thereafter, no appeal or application was filed to restore the said judgment and the same had reached its finality. Even thereafter, a dispute and wordy quarrel arose between the petitioner and the said Kandasamy on 30.8.2015. Therefore, a conciliation proceeding was held in the presence of Panchayathars and in that Panchayat, the said Kandasamy agreed not to disturb the maintenance work of the petitioner. In spite of the same, on 28.11.2015, the sons of said Kandasamy prevented the petitioner from doing his

maintenance work. Hence, the petitioner lodged a complaint with the respondent police on 29.11.2015 requesting them to take action against the said Kandasamy and others and to provide police protection to the property and life of the petitioner. Though the respondent police issued CSR No.289 of 2015, thereafter, they have not taken further action on the said complaint. Hence, the petition.

3. Learned Additional Public Prosecutor submitted that there is a civil dispute between the parties. However, the complaint lodged by the petitioner has been assigned CSR number as CSR No.289 of 2015.

4. Considering the facts and circumstances of the case and considering the fact that the complaint lodged by the petitioner has been assigned CSR Number as C.S.R.No.289 of 2015, this Court directs the respondent to conduct enquiry in C.S.R.No.289 of 2015 and dispose of the same in accordance with law, as early as possible, preferably within two months from the date of receipt of a copy of this order. The criminal original petition is disposed of accordingly.

sbi

-s/d-

Assistant Registrar (CS-VII)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Vennandhur Police Station,
Namakkal District

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.C.Prabakaran, Advocate SR 69101

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