



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2015

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Crl.O.P.(MD)No.1717 of 2015

Madhu Sri Akkobai Ammani Trust
represented by its Hereditary Trustee
V.Ry.Anandakumar,
73, Big Bazaar Street,
Pattukottai Town.

... Petitioner

Vs.

1. The Superintendent of Police,
Thanjavur and District.
2. The Additional Deputy Superintendent of Police,
Pattukottai and Taluk,
Thanjavur District.
3. The Inspector of Police,
Pattukottai and Taluk,
Thanjavur District.
4. Rajkumar
5. Ilayaraja
6. Amutha

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to direct the respondents 1 to 3 to take action against the respondents 4 to 6 and provide adequate police protection to the petitioner Trust and its property in Survey No.118/1, 118/2 and 118/3 at Maharajasamudram Village, Pattukottai Taluk, Thanjavur District.

For Petitioner : Mr.Niranjana S.Kumar
For R1 to R3 : Mr.K.Anbarasan
Govt. Advocate (Crl.side)

O R D E R

This Criminal Original Petition is filed for a direction to the respondents 1 to 3 to take action against the respondents 4 to 6 and provide adequate police protection to the petitioner Trust and its property in Survey No.118/1, 118/2 and 118/3 at Maharajasamudram Village, Pattukottai Taluk, Thanjavur District.

2. In view of the endorsement made by the learned counsel for the petitioner, the petition shall stand dismissed as not pressed against the respondents 4 to 6.



3. The petitioner has filed a suit in O.S.No.383 of 1977 before the District Munsif Court, Pattukottai seeking the relief of possession and such suit was decreed on 21.04.1984. Challenges to such finding have been negated up to the stage of second appeal moved before this Court in S.A.No.1562 of 1986 as such appeal was dismissed on 07.01.1999. The petitioner has moved an Execution Petition in E.P.No.29 of 2010 and delivery of property has been effected to him. On 11.07.2013, mutation of revenue records has been effected in favour of the petitioner. The purchasers under the judgment debtor, the respondents 4 to 6 herein, on an earlier occasion, have moved a suit in O.S.No.201 of 2013 before the District Munsif Court, Pattukottai seeking a declaration that the decree in O.S.No.383 of 1977 would not bind them and for consequential reliefs. W.P.(MD)No.350 of 2015 moved by such party seeking a direction to the police not to interfere in the civil dispute has been dismissed on 12.01.2015. The petitioner has made a representation to the third respondent on 24.01.2015 informing of threat and interference with the enjoyment of the property. He has also informed that no action has been taken on the earlier complaint preferred on 26.10.2014. Hence, the prayer for a direction towards police protection.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side).

5. In the circumstances, since petitioner has been put in possession of property, pursuant to execution proceedings, it is the duty of the respondents 1 to 3 to protect the interests of the petitioner. Accordingly, there shall be a direction to the petitioner to give a fresh representation to the Inspector of Police, seeking police protection on particular dates when the same is considered necessary and the said respondent shall provide the same at the cost of the petitioner.

6. This order will be in force for a period of six months. Accordingly, this Criminal Original Petition stands allowed.

Sd/-

Assistant Registrar(Writ)

/True copy/

sub Assistant Registrar

akv

To

1. The Superintendent of Police, Thanjavur and District.

2. The Additional Deputy Superintendent of Police,
Pattukottai and Taluk, Thanjavur District.

3. The Inspector of Police, Pattukottai and Taluk, Thanjavur District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to MR.NIRANJAN S.KUMAR,ADVOCATE IN SR NO. 6585

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