



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2015

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Crl.O.P. (MD)No.4388 of 2015

D.Venkatammal

... Petitioner

-Vs-

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Deputy Commissioner of Police,
Madurai.

3.The Inspector of Police,
Avaniapuram Police Station,
Madurai.

4.The Inspector of Police,
Teppakulam Police Station,
Madurai.

5.M.Pandi

... Respondents

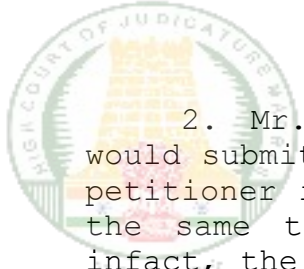
*(R5 impleaded as per the order of this
Honourable court dated 19.11.2015 and
made in MP(MD)No.1 of 2015 in
Crl.O.P (MD)No.4388 of 2015)

PRAYER: Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the 3rd and 4th respondents to provide adequate police protection to the life and limb of the petitioner as well as to his family members and to enter the petitioner's property comprising Door No.4/103, China Anupanadi, Cross Main Road, Madurai.

For Petitioner	: Mr.D.Sadiq Raja
For Respondents	: Ms.S.Prabha
(R1 to R4)	Govt.Advocate (Crl.side)
For Respondent 5	: Mr.M.S.Jeya Karthick

O R D E R

The petitioner has come forward with this petition, praying to direct the respondents 3 and 4 to provide adequate police protection to the life and limb of the petitioner as well as to his family members and to enter the petitioner's property comprising Door No.4/103, China Anupanadi, Cross Main Road, Madurai.



2. Mr.D.Sadiq Raja, learned counsel appearing for the petitioner would submit that the above said property was purchased by the son of the petitioner in the name of petitioner's daughter-in-law, who in turn, sold the same to one Pandi, under threat. He would further submit that infact, the daughter-in-law has got no authority to execute the sale deed in favour of the said Pandi, since the property was purchased by the petitioner's son. He also submitted that on 01.03.2015, the third respondent police along with the said Pandi and his henchmen, came to the petitioner's house and broke open the lock and put a new lock and started staying there. Therefore, the petitioner has come forward with this application for the aforesaid relief.

3. Admittedly, civil dispute is pending between the petitioner and the said Pandi, the alleged purchaser. Whether the act of the daughter-in-law is correct or not is the matter to be decided by the civil Court. When admittedly, the petitioner is not in possession of the property. But this Court cannot direct the respondents 3 and 4 to give police protection to the petitioner to enter into the proper in question, which said to have been sold by the daughter-in-law to one Pandi. I find no merits.

4. In the result, the Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

- 1.The Commissioner of Police, Madurai City, Madurai.
- 2.The Deputy Commissioner of Police, Madurai.
- 3.The Inspector of Police, Avaniapuram Police Station, Madurai.
- 4.The Inspector of Police, Teppakulam Police Station, Madurai.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,Madurai.

+1cc to Mr.D.Sadiq Raja, Advocate SR.No.66749
+1cc to Mr.M.S.Jeya Karthick, Advocate SR.No.66384

Cr1.O.P. (MD) No.4388 of 2015
19.11.2015

MPK

NS/MP-PM/07.12.2015 : 2P/8C