

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1385 of 2016

Selvi

...Petitioner

Vs

1. The state

rep. By Sub Inspector of Police,
Kullanchavadi Police Station,
Kullanchavadi - 607 301
Cuddalore District.

2. Palanivel

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 1st respondent to provide police protection to the petitioner for the peaceful enjoyment of her property situated in new survey numbers 41/2 and 31/12-B in Sivanandhipuram Village, Peikkanatham Firka, Panruti vattam, measuring an extent of 2.86 acres and 16 cents respectively.

For Petitioner : Mr.S.Sounthar

For Respondent : Mr.C.Emalias,
Addl. Public Prosecutor for R1

O R D E R

This petition has been filed to direct the 1st respondent to provide police protection to the petitioner for peaceful enjoyment of her property situated in new survey numbers 41/2 and 31/12-B in Sivanandhipuram Village, Peikkanathan Firka, Panruti vattam, measuring an extent of 2.86 acres and 16 cents respectively.

2. The petitioner submitted that 2.86 acres out of 4.35 acres of land in New S.No.41/2 in Sivanandhipuram Village, Peikkanatham Firka, Panruti Vattam and 16 cents of land in New No.31/12-B belongs to the petitioner. The same was allotted to the petitioner in a partition suit in O.S.No.827/1993, on the file of District Munsif, Panruti. She took delivery of the said land through Court by filing execution petition in E.P.No.10/13. The 2nd respondent herein was a party in the said execution petition. When the petitioner registered the property,

the 2nd respondent picked up quarrel with the petitioner and abused her with filthy language. The petitioner is the actual owner of the property and she is in possession and enjoyment of the same. The 2nd respondent is picking up quarrel and thereby interfering with the legal possession of the property. Hence, the petitioner has lodged a complaint on 19.8.2015 but no action was taken till date. Hence, the present petition has been filed to direct the 1st respondent to provide police protection.

3. Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the first respondent.

4. In view of the submissions made on either side, this Court directs the petitioner to give a fresh representation to the 1st respondent along with a copy of this order. On receipt of the same, the first respondent is directed to consider the said representation by affording personal hearing to the petitioner as well as necessary parties and pass appropriate orders with regard to providing police protection as expeditiously as possible.

5. The criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Sub Inspector of Police,
Kullanchavadi Police Station,
Kullanchavadi - 607 301
Cuddalore District.

2. The Public Prosecutor,
High Court, Chennai.

+1cc to Mr.S.Sounthar, Advocate, S.R.No.3946

Cr1.O.P.No.1385 of 2016

bvr (CO)
srg (22/02/2016)