

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P. No.21359 of 2016

Kandasamy Gounder

... Petitioner

Vs

1. The Superintendent of Police
Salem District
Salem.

2. The Inspector of Police,
Aattayampatti Police Station
Aattayampatti, Salem District.

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., pleaded to direct the respondents to provide sufficient police protection to the petitioner to enable him to plough, cultivate and harvest in his land in survey numbers 10/2B, 10/3B, 10/4, 10/5B, 15/1A at Kandarkulamanickam Village, Sankari Taluk, Salem District.

For petitioner : Mr.C.Kulanthaivel

For Respondents : Mr.C.Emalias, APP

O R D E R

This petition has been filed to direct the respondents to provide sufficient police protection to the petitioner to enable him to plough, cultivate and harvest in his land in survey numbers 10/2B, 10/3B, 10/4, 10/5B, 15/1A at Kandarkulamanickam Village, Sankari Taluk, Salem District.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. It is seen that, this petitioner is having serious dispute with his wife, daughter and grand daughter in respect of a property in connection with which a suit in O.S.No.262 of 2013 was filed and the same has ended in favour of the petitioner. While so, the petitioner has come up with this petition for police protection to his property.

4. Learned counsel earlier relied upon the order passed by this Court in Crl.O.P.No32858 of 2013 on 10.01.2014. On a reading of the order dated 10.01.2014 it is seen that, this Court granted protection since it was found that, tapioca plants were ripe for harvest and in those circumstances, this Court has granted police protection to the petitioner for harvesting. That order cannot be pressed into service now for getting police protection by the petitioner.

5. In the result, the dispute is essentially between the family members. This Court is of the view that this is not a fit case to grant police protection. Accordingly this petition is dismissed with liberty to the petitioner to work out his remedy in the manner known to law.

Sd/-
Assistant Registrar

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Sub Assistant Registrar

dpq

To

1. The Superintendent of Police
Salem District
Salem.
2. The Inspector of Police,
Aattayampatti Police Station
Aattayampatti, Salem District.
3. The Public Prosecutor,
High Court, Chennai.

+1cc to Mr.C.Kulanthaivel, Advocate, S.R.No.54264

Crl.O.P. No.21359 of 2016

skv(co)
pmk.24.10.2016