



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2017

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THE HONOURABLE MR. JUSTICE P.N. PRAKASH**CrI.O.P. (MD) No.17196 of 2015**

Christopher

... Petitioner

-VS-

1. The Superintendent of Police,
Kanyakumari District,
Kanyakumari.

2. The Inspector of Police,
Nitheravilai Police Station,
Kanyakumari District.

3. Pilasi

... Respondent

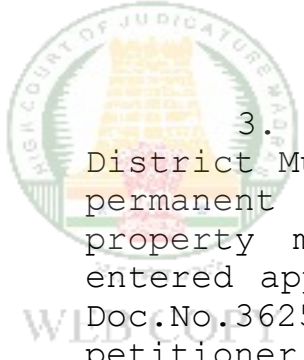
Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the 2nd respondent to provide adequate police protection to the petitioner at the time of measuring the land on the basis of the representation given by the petitioner on 09.06.2015.

For Petitioner	: Mr.Christopher Party-in-Person
For R1 & R2	: Mr.K.Anbarasan Govt. Advocate (CrI.Side)
For R3	: Mr.C.K.M.Appaji

ORDER

This petition has been filed to direct the 2nd respondent to provide adequate police protection to the petitioner at the time of measuring the land on the basis of the representation given by the petitioner on 09.06.2015.

2. There appears to be a civil dispute with regard to a property between the petitioner and one Pilasi in connection with which the petitioner gave a complaint to the 2nd respondent police against Pilasi, based on which, a petition enquiry was conducted in CSR No.308 of 2010. Both the parties appeared before the Police and gave a statement that they would settle the dispute before the Civil Court. Accordingly, CSR No.308 of 2010 was closed on 29.09.2010.



3. The petitioner filed O.S.No.528 of 2010 before the District Munsif, Kuzhithurai against Pilasi and his wife Julee for permanent injunction, restraining them from interfering with the property mentioned in the schedule. In the said suit, Pilasi entered appearance and filed a written statement stating that the Doc.No.3625 of 2008 dated 15.12.2008, based on which the petitioner is claiming title is a false document inasmuch as the petitioner has included Government Poramboke land as belonging to him in the said document. O.S.No.528 of 2010 was dismissed by the I Additional District Munsif, Kuzhithurai on 16.08.2012 on the endorsement made by the counsel for the petitioner that the case is settled out of Court. After having withdrawn the suit, the petitioner has given a representation dated 09.06.2015 to the Police and has filed the present petition, seeking Police protection for measuring the disputed land.

4. In the considered opinion of this Court, such a relief cannot be granted in a petition under Section 482 Cr.P.C. especially in the light of the fact that the suit filed by the petitioner was dismissed on the endorsement made by the counsel for the petitioner that the matter is settled out of Court. Hence, this petition is devoid of merits and the same is accordingly dismissed.

Sd/-

Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar

To:

- 1.The Superintendent of Police,
Kanyakumari District,
Kanyakumari.
 2. The Inspector of Police,
Nitheravilai Police Station,
Kanyakumari District.
 3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1 cc to Mr.K.M.Appaji , Advocate in SR.No. 59528
+1 cc to Mr.G.Christopher , Advocate in SR.No. 59200

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