



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.OP.(MD)No.12142 of 2017

Veeran

...Petitioner

Vs.

1. The Superintendent of Police,
Theni District.

2. The Inspector of Police,
Rajadhani Police Station,
Theni District.

3. Kasirajan

4. Ayyammal

5. Lakshmanan

6. Lakshmanan

7. Rajkumar

8. Ranjithkumar

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct respondents 1 and 2 to give police protection to the life and limb of the petitioner against the threat issued by respondents 3 to 8 based on the representation of the petitioner, dated 21.11.2016.

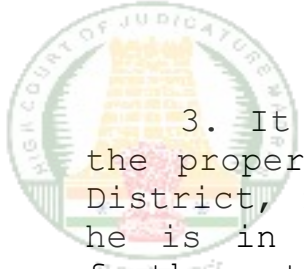
For Petitioner : Mr.V.Sankaranarayanan

For R-1 & R-2 : Mr.K.Anbarasan,
Government Advocate(Crl.Side).

ORDER

This Criminal Original Petition is filed for a direction to respondents 1 and 2 to give police protection to the life and limb of the petitioner against the threat issued by respondents 3 to 8 based on the representation of the petitioner, dated 21.11.2016.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl.Side) appearing for respondents 1 and 2.



3. It is the case of the petitioner that he is the owner of the property in Survey No.113/2B, at Palayakottai Village, Theni District, measuring an extent 5 Acres and 13 cents, stating that he is in lawful possession and enjoyment of the property. He further stated that some individuals who are the adjacent owners of the property disrupted and interfered with the possession of the petitioner, when the petitioner made an attempt to survey the land belonged to the petitioner. It is only in view of the dispute in relation to the property of the petitioner, the petitioner states that the neighbouring land owners of the property are making threat to the life and limb of the petitioner.

4. The petitioner though stated that he is the owner of the property, except Patta, no other document is shown to prove his possession or enjoyment of the property. If the petitioner's possession or enjoyment is disturbed or interfered with by any third party, the only remedy available to the petitioner is to approach the civil Court for appropriate relief. The civil dispute cannot be the basis for getting police protection to the petitioner.

5. Hence, the Criminal Original petition is dismissed with liberty to the petitioner to approach the civil Court for appropriate relief. In case the petitioner is able to establish his lawful possession, he may get an order of Injunction and based on such order, he can also seek police protection from the civil Court, as the civil Court has such power.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police, Theni District.
2. The Inspector of Police, Rajadhani Police Station, Theni District.
3. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

Pmu

AE/KP/SAR2/10.10.2017/2P/4C

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