



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 04.05.2017

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. (MD) No.12899 of 2016

Saraswathi

: Petitioner

-vs-

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

2.The State rep by
The Inspector of Police,
Munneerpallam Police Station,
Tirunelveli District.

3.Mookkandi

4.Mariappan

5.Arumugam

: Respondents

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure praying to issue a direction directing the respondents to provide police protection to the petitioner to complete the asbestos works in the northern side of the housing property of the petitioner at Door No.8-A, Annavi Muddukku Street, Melacheval, Cheranmahadevi, Tirunelveli District forthwith petitioner representation dated 06.06.2016.

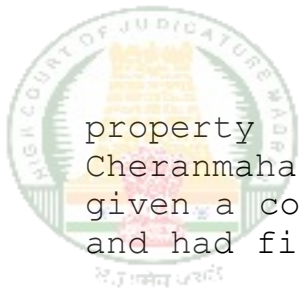
For Petitioner	: Mr.S.Palanivelayutham
For R1 and R2	: Mr.A.P.Balasubramani
	Government Advocate (Crl.side)
For R3 and R5	: Mr.S.Muthumalai Raja

O R D E R

This petition has been filed by the petitioner to direct the first and the second respondents to provide police protection to the petitioner to complete the asbestos works in the northern side of the housing property of the petitioner at Door No.8-A, Annavi Muddukku Street, Melacheval, Cheranmahadevi, Tirunelveli District forthwith petitioner representation dated 06.06.2016.

2.Heard Mr.S.Palanivelayutham, learned counsel appearing for the petitioner and Mr.A.P.Balasubramani, learned Government Advocate, appearing for R1 and R2 and Mr.S.Muthumalai Raja, learned counsel appearing for R3 and R5..

3.There appears to be dispute between the petitioner and the respondent Nos.3 to 5 with regard to the compound wall in the



property at Door No.8-A, Annavi Muddukku Street, Melacheval, Cheranmahadevi, Tirunelveli District. While so, the petitioner has given a complaint dated 06.06.2016 to the second respondent police and had filed the present petition for police protection.

4.The learned Government Advocate, on instructions, submitted that the complaint given by the petitioner was enquired into and the same was closed on 02.08.2016, on the ground that the allegation was found to be false. A copy of the closure report has also been sent to the petitioner by Registered Post acknowledgement due, as could be seen from the postal receipt. However, it is also seen that the case in O.S.NO.11 of 2012 is pending between the petitioner and Respondent Nos.3 to 5 before the Principal District Munsif, Cheranmahadevi.

5.In the light of the above facts that there are several litigations pending between the parties, this Court cannot issue a direction to give police protection under Section 482 Cr.P.C. Hence, this petition is closed. However, liberty is given to the petitioner to work out his remedy in the manner known to law. However, if any party resort to violence, it is always open to the respondent police to register a fresh case against the aggressor.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To:

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

+1cc to Mr.S.Palanivelayutham, Advocate Sr.No.55791
+1cc to Mr.S.Muthumalai Raja, Advocate Sr.No.55890

ns

vb/mr/sar4/11.05.2017/2p/6c

**Order made in
Crl.O.P. (MD) No.12899 of 2016
04.05.2017**