

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 12.07.2017****CORAM:****THE HONOURABLE MR.JUSTICE S.S.SUNDAR****CRL.O.P. (MD) No.8763 of 2017**

V.Kannapiran

: Petitioner

-Vs-

1. The Superintendent of Police,  
Pudukottai District.2. The Inspector of Police,  
Aranthangi Police Station,  
Pudukottai District.

: Respondents

**PRAYER:** Petition is filed under Section 482 of the Criminal Procedure Code to direct the respondents to provide police protection to the petitioner's land in Survey No.269/7 and Survey No.262/25 at Rajendrapuram Group, Kurundirakottai, Aranthangi Taluk, Pudukottai District for fencing work based on the petitioner's representation, dated 06.07.2017.

For Petitioner : Mr.K.G.Arun Kumar

For Respondents : Mr.K.Anbarasan  
Government Advocate(Crl.Side)**O R D E R**

This petition has been filed under Section 482 of Cr.P.C., seeking a direction to the respondents to provide police protection to the petitioner's land in Survey No.269/7 and Survey No.262/25 at Rajendrapuram Group, Kurundirakottai, Aranthangi Taluk, Pudukottai District for fencing work based on the petitioner's representation, dated 06.07.2017.

2.The learned counsel for the petitioner submitted that the petitioner has purchased the property only on 25.03.2017, very recently, through a registered sale deed. It is the grievance of the petitioner that the petitioner could not put up fencing around his land as the village youngsters are interfering and threatening the workers to stop the fencing work, since they are using the place as playground.



3. In this context, the petitioner has sent a representation to the respondents on 06.07.2017 along with the copy of the Title deed. Since the respondents have not taken any action, the petitioner has come up before this Court.

4. Though the petitioner has purchased the property on 25.03.2017, the petitioner has not produced any document or any records to show that the petitioner's predecessors are the reputed owners having physical enjoyment of the property in dispute. In the said circumstances, this Court is not in a position to presume that the petitioner is the absolute owner and in lawful enjoyment of the disputed property. When the petitioner apprehends any interference with his enjoyment by any third party, the remedy is only to approach the Civil Court for appropriate relief. Under the guise of police protection, no person can take advantage of things to create evidence to ascertain physical possession.

5. In such circumstances, filing petition of this nature only on the basis of recent sale deed is not proper and appropriate. Hence this Criminal Original Petition is dismissed with liberty to the petitioner to seek appropriate remedy before Civil Court in the manner known to law. Accordingly, this Criminal Original Petition is **dismissed**.

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

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

+1cc to Mr.K.G.Arun Kumar, Advocate SR.NO.65137

DAS/PJL

VB/MR-KKR/SAR2/24.07.2017/2P/5C