



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.9140 of 2017

S.Narayanan

... Petitioner

-Vs-

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

2. The Inspector of Police,
Salaikiramam Police Station,
Sivagangai District.

3. K.Sulachana

... Respondents

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to grant necessary police protection to the petitioner's land in Survey No.196/7B1 an extent of 0.08.0 Hectares at Keelasuranam, Suranam(Po), Ilayankudi Taluk, Sivagangai District, based on the complaint, dated 03.07.2017.

For Petitioner	: Mr.P.Muthusamy
For R-1 & R-2	: Mr.K.Anbarasan, Government Advocate(Crl. Side).
For R-3	: Mr.V.Sankara Narayanan

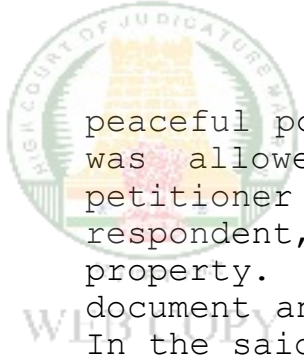
ORDER

This Criminal Original petition is filed seeking a direction to provide necessary police protection to the petitioner's land in Survey No.196/7B1 an extent of 0.08.0 Hectares at Keelasuranam, Suranam(Po), Ilayankudi Taluk, Sivagangai District, based on the complaint, dated 03.07.2017.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Criminal side) appearing for the respondents 1 and 2 and the learned counsel appearing for the third respondent.

3. The petitioner stated that the petitioner's father purchased some property in the year 1966 and that he also purchased some more land by a registered document in Doc.No.1013/1977, dated 23.06.1977.

4. It appears that the petitioner filed a civil Suit in Court No. 20514 as against the Tahsildar, Ilayankudi and the District Collector, Sivagangai District, for permanent injunction restraining the respondents from any way interfering with the



peaceful possession and enjoyment of the suit property and the same was allowed. It is on the strength of the said decree, the petitioner appears to have given a representation to the second respondent, namely, the Inspector of Police, for surveying the above property. He also alleged that the third respondent created some document and based on which, the revenue officials had given Patta. In the said circumstances, he filed the present petition before this Court.

5. The dispute appears to be between the petitioner and the third respondent. In the said suit filed by the petitioner, the third respondent is not a party. On the strength of the Judgment and decree obtained by the petitioner as against the revenue officials, the petitioner has no enforceable right as against the third respondent. The petition filed by the petitioner seeking police protection to the petitioner's land is nothing but abuse of process of law.

6. Accordingly, the Criminal Original petition is dismissed with liberty to the petitioner to approach civil Court for appropriate relief.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Salaikiramam Police Station,
Sivagangai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.P.Muthusamy Advocate in SR. NO.66664

PMU

JS/JC/SAR.1/25.07.2017/2P-5C

CRL.O.P. (MD) No.9140 of 2017
18.07.2017