



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:12.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.22953 of 2016

T.Manimegalai

: Petitioner

-Vs-

The Inspector of Police,
Taluk Police Station,
Tanjore, Tanjore District.

: Respondent

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code to direct the respondent to consider the petitioner's representation dated 26.11.2016 and give adequate Police Protection to the petitioner in order to enjoy the house property in Plot Nos.24 of 25 in S.No.22/1-B, in Parveen Nagar, Vilar Village, Tanjore District in the light of the proceedings in M.C.No.50/2009, A3, Dated 08.09.2011 on the file of the Revenue Divisional Officer, Tanjore, Tanjore District.

For Petitioner : Mr.T. Lajapathy Roy

For Respondents : Mr.K.S. Duraipandian

Additional Public Prosecutor

O R D E R

This petition is filed to direct the respondent to consider the petitioner's representation, dated 26.11.2016 and give adequate Police Protection to the petitioner in order to enjoy the house property in Plot Nos.24 of 25 in S.No.22/1-B, in Parveen Nagar, Vilar Village, Tanjore District in the light of the proceedings in M.C.No.50/2009, A3 on the file of the Revenue Divisional Officer, Tanjore, Tanjore District.

2. Though the Criminal Original Petition is filed for issuing a positive direction to the respondent, the learned counsel for the petitioner submits that the petitioner will be satisfied if a direction is issued to the respondent, to consider the representation of the petitioner, dated 26.11.2016, in case the petitioner is able to satisfy her exclusive possession. However, it is to be noted that the Police Officer or Revenue Divisional Officer are not competent to pass an order granting relief to any of the party as a civil Court.



3. Heard the learned Additional Public Prosecutor appearing for the respondent.

4. In the above circumstances without expressing any opinion, this Court is inclined to pass the following direction:

"The respondent is directed to consider the representation of the petitioner, dated 26.11.2016 and pass orders on merits and in accordance with law after affording sufficient opportunity to the parties concerned, keeping in mind, the order of the Revenue Divisional Officials or any subsequent orders that was passed either by the statutory authority or by the other authority, with regard to the dispute between the petitioner and others, within a period of six weeks from the date of receipt of a copy of this order."

5. With the above direction, the Criminal Original Petition is disposed of. This order will not bind the Civil Court while deciding any suit or other proceeding properly instituted by the parties concerned.

sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

trp
To

1. The Inspector of Police, Taluk Police Station,
Tanjore, Tanjore District.

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

GJM/CM/SAR-2-4.1.18-2p-3c

CRL.O.P. (MD) No. 22953 of 2016
12.12.2017