



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.07.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Crl.O.P(MD).No.4839 of 2016

V.S.Mohamed Idris

.. Petitioner

Vs.

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

2. The Inspector of Police,
Kadyanallur Police Station,
Tirunelveli District.

3.Chellaiya

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the respondents to provide adequate police protection to life and limb of the petitioner and fencing the property by considering the representation of the petitioner dated 07.03.2016.

For Petitioner	:	Mr.S.C.Herold Singh
For Respondents	1 and2 :	Mr.C.Ramesh
		Additional Public Prosecutor

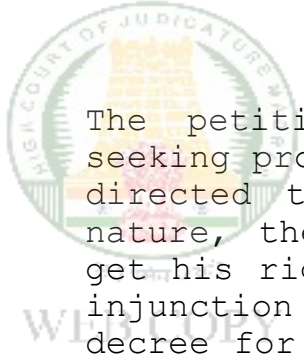
O R D E R

This Criminal Original Petition is filed to direct the second respondent to provide adequate police protection to life and limb of the petitioner and fencing the property by considering the representation of the petitioner dated 07.03.2016.

2. It is submitted by the petitioner himself that there is a dispute between the parties with regard to the enjoyment of the property. The learned counsel for the petitioner states that the petitioner was threatened by the third respondent when he made an attempt to enter into the property, which itself discloses that there is a dispute between the petitioner and the third respondent.

<https://hcservices.ecourts.gov.in/hcservices/>

3. Though the petitioner states that he is in lawful possession his possession is stated to be disputed by the third respondent.



The petitioner insists that his representation to the police, seeking protection to the petitioner and to his properties should be directed to be considered. When the dispute is purely civil in nature, the petitioner is expected to approach the civil Court to get his right declared by the civil Court. If he gets an order of injunction from the civil Court either temporarily or by getting a decree for permanent injunction, he is also entitled to enforce the order of civil Court by approaching the same Court to give police protection, if there is an attempt to circumvent the order of the civil Court.

4. In such view of the matter, this Court is not inclined to entertain this Petition seeking police protection. Hence, this Criminal Original petition is dismissed.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

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

+ 1 CC TO Mr.S.C.HEROLD SINGH, ADVOCATE IN SR No. 69173

DSK/CMR

TE/MR-KKR/SAR-IV : 16/08/2017 : 2P/5C

ORDER MADE IN
Crl.O.P (MD) .No.4839 of 2016
31.07.2017