

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P.No. 11005 of 2018

O. Kasimaan @ Raja ... Petitioner

Vs.

1. The Superintendent
Dharmapuri
Dharmapuri District.

2 The Deputy Superintendent
Dharmapuri
Dharmapuri District.

3. The Inspector of Police
Mathikonpalayam Police Station
Dharmapuri
Dharmapuri District.

4. P. Murugan
5. P. Vijayan
6. P. Chinnasamy
7. R. Selvaraj
8. M. Siva
9. P. Muniyappan

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the 3rd respondent police herein to provide police protection to the petitioner as per his complaint dated 18.12.2017, at the earliest point of time as fixed by this Court and such further orders.

For Petitioner : Mr. N. Elumalai

For Respondents : Mr. C. Raghavan

Govt. Advocate (CrI. Side)

ORDER

The relief sought for in this petition is to direct the 3rd respondent police to provide police protection to the petitioner based on his complaint dated 18.12.2017, at the earliest point of time as fixed by this Court.

2. It is the case of the petitioner that he is the owner of the property comprised in Survey No.322/10, Patta No.318, in

Naickanahalli Village, Dharmapuri Taluk, Dharmapuri District and that he has filed the suit in O.S. No.162/2014 against one Murugan and others and has obtained an order of permanent injunction, restraining them from interfering with his possession. Whiles, it is the contention of the petitioner that the defendants in O.S. No. 162/2014 are continuously harassing the petitioner and are disturbing his possession. Hence, the petitioner has given a complaint dated 18.12.2017 to the police and thereafter has filed the present petition for police protection.

3. Heard learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for respondent Police.

4. This Court cannot decide the issue of title of the property nor can this Court decide as to who is in actual possession of the property. It is always open to the petitioner to work out his remedy under Order 21 CPC and seek for police protection and the same can be awarded.

5. With the above observation, the petition is closed.

Sd/-

Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

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To

1. The Superintendent
Dharmapuri, Dharmapuri District.

2 The Deputy Superintendent
Dharmapuri, Dharmapuri District.

3. The Inspector of Police
Mathikonpalayam Police Station
Dharmapuri, Dharmapuri District.

4. The Public Prosecutor,
Madras High Court, Chennai.

+lcc to Mr.N.Elumalai, Advocate SR.No.32344

Crl.O.P.No. 11005 of 2018

KK(CO)
GN(18/05/2018)