

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 31.05.2018

CORAM

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

CRL.O.P.No.14411 of 2018

K.Jayaseelan ... Petitioner
Vs

1.The State Rep.by its
The Superintendent of Police
Kancheepuram District
Kancheepuram.

2.The Deputy Superintendent of Police
Mamallapuram
Kancheepuram District.

3.The Inspector of Police
Mamallapuram Police Station
Kancheepuram District. ... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the 3rd respondent to take appropriate action as per law and also provide police protection to the petitioner on the basis of the petitioner's representation dated 04.04.2018 and direct the 1st and 2nd respondents to monitor and to investigate the matter.

For Petitioner : Mr.S.Sugendran
For Respondents : Ms.M.Prabhavathi
Addl. Public Prosecutor

W E B C O P Y
O R D E R

This Criminal Original Petition has been filed to direct the 3rd respondent to take appropriate action as per law and also provide police protection to the petitioner on the basis of the petitioner's representation dated 04.04.2018 and direct the 1st and 2nd respondents to monitor and to investigate the matter.

2. Though this petition is filed for grant of police protection to execute the decree and judgment passed by the District Munsif, Chengalpattu in his favour, I am afraid of

issuing such a direction as sought for by the petitioner in this petition. It is for the petitioner to work out his remedy by filing Execution petition. If such a blanket direction is given by this Court, it may lead to serious consequences. The purpose of Order XXI of CPC itself to secure the interest of so many people. Even a third party may claim independent possession or title and his right also can be adjudicated by the Execution Court. Therefore, without going into all those things, if any blanket direction is given by this Court, it may lead to serious consequences.

3. Since we have no material to show whether there is any third party right is involved in this matter, I am not inclined to grant any direction to the respondents to give police protection. The petitioner is at liberty to approach the trial Court by moving an Execution Petition and execute the decree.

4. With the above observation, this petition is dismissed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Superintendent of Police
Kancheepuram District
Kancheepuram.

2.The Deputy Superintendent of Police
Mamallapuram
Kancheepuram District.

3.The Inspector of Police
Mamallapuram Police Station
Kancheepuram District.

4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Sugendran, Advocate, S.R.No.34375

CRL.OP.No.14411 of 2018

GSP(11/06/2018)