

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2018

CORAM:

THE HON'BLE MR.JUSTICE N. ANAND VENKATESH

CrI.O.P.No.23197 of 2018

Sivaprakasam

... Petitioner

Vs.

1.The District Collector,
Villupuram District,
Villupuram.

2.The District Superintendent of Police,
Villupuram District,
Villupuram.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to grant police protection to the petitioner to live in his house peacefully to secure the ends of justice.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed seeking for a direction to the respondents to grant police protection to the petitioner to live in his house peacefully.

2. The learned counsel for the petitioner would submit that there is admittedly a civil dispute pending between the petitioner and his sisters and a suit has also been filed in O.S.No.102 of 2018, on the file of the learned Sub Court, Tindivanam. While so, the respondent police without any authority are interfering in the civil dispute and are forcing the petitioner to vacate the premises.

3. The learned Additional Public Prosecutor on instructions would submit that admittedly there is a civil dispute pending between the parties. The police will not interfere with the said dispute and it is for the parties to workout their remedy before the appropriate Civil Court in accordance with law.

4. Taking into consideration the facts and circumstances of the case, the petitioner has to workout his remedy against his sisters in the pending suit in O.S.No.102 of 2018, on the file of the learned Sub Court, Tindivanam. In view of the pendency of the suit, the police will have no role to play in this case. If any of the parties approach the police, the respondent police is directed to relegate the parties before the Civil Court and instruct them to agitate their rights before the Civil Court. The police shall not interfere with the civil dispute that is pending between the parties.

5. With the above direction, this Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

nmm/dss

To

- 1.The learned Sub Court,
Tindivanam.
- 2.The District Collector,
Villupuram District,
Villupuram.
- 3.The District Superintendent of Police,
Villupuram District,
Villupuram.
- 4.The Additional Public Prosecutor
Madras High Court, Chennai.

+1cc to Mr.R.Sankar Subbu, Advocate, S.R.No.77523

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rrs 15/11/2018

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