

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2018

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.25139 of 2018

G.Sakunthala

..Petitioner

Vs

1.The Superintending of Police,
Tiruvallur District,
Tiruvallur.

2.Tahsildar,
Ponneri Taluk,
Ponneri,
Tiruvallur District.

3.The Inspector of Police,
(Law and Order),
Ponneri Police Station,
Ponneri,
Tiruvallur District.

4.Jothi

5.Balaraman

6.Sriraman

..Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to issue a direction directing the 1 and 3 respondents to protect the petitioner to raise a compound wall in her Patta land and his family members against the 4 to 6th Respondents on the basis of the Petitioner's Representation dated 25.10.2018.

For Petitioner : Mr.S.L.Venkatesan

For RR1 to R3 : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking for police protection to the petitioner to raise a compound wall in her property, which is resisted by the respondents 4 to 6.

2. The learned counsel for the petitioner would submit that the petitioner is the owner of the property and she wanted to raise the compound wall around the property and the same was resisted by respondents 4 to 6. That apart, the respondents 4 to 6 were also causing threat to the life of the petitioner. According to the petitioner, a complaint was given to the respondent police seeking police protection and the respondent police in spite of receiving the complaint, did not take any action.

3. Admittedly, there is a dispute with regard to putting up of the compound wall around the petitioner's property. The said attempt is resisted by the respondents 4 to 6. The inter-se dispute between the petitioner and respondents 4 and 6 cannot be resolved by the police. If the petitioner is stopped from putting up the compound wall, she has to initiate necessary proceeding before the competent Civil Court and establish her right. The police cannot get into an issue of this nature, since it involves the right and title over the property.

4. Thus, this Court is of the considered view that the present petition is not maintainable and the petitioner has to work out her remedy against the respondents 4 to 6 only before the competent Civil Court and get necessary orders to safeguard her possession and enjoyment in the property.

5. The Criminal Original Petition is dismissed with the above observations.

s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

mfa/dua

To

1. The Superintending of Police,
Tiruvallur District,
Tiruvallur.

2. Tahsildar,
Ponneri Taluk,
Ponneri,
Tiruvallur District.

3. The Inspector of Police,
(Law and Order),
Ponneri Police Station,
Ponneri,
Tiruvallur District.

4. The Public Prosecutor
High Court, Madras.

+1 CC to Mr.S.L.Venkatesan, Advocate sr 77251.

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VD(CO)
SP(03/12/2018)



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