

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 08.11.2018

C O R A M
THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.25540 of 2018

A.Brindavathi (48 years)
W/o. Late Thiyagarajan,
No.2/168, Mettur Street,
Udayapatti,
Salem District.

... Petitioner

Vs.

1. The Superintendent of Police,
Salem.
2. The Sub Divisional Magistrate cum
Revenue Divisional Officer,
Salem.
3. The Inspector of Police,
Karipatti Police Station,
Salem District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying to direct the 3rd respondent to provide proper police protection enable the petitioner to run a fuel station in peaceful manner and pass orders.

For Petitioner : Mr.R.Ezhilarasan

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

O R D E R

This Criminal Original Petition has been filed seeking for police protection.

2. It is seen from the records that the petitioner is running a service station and a retail outlet and she is a dealer of Bharat Petroleum Corporation Limited. According to the learned counsel for the petitioner, the owner of the property is creating problem for the petitioner to run the Petrol outlet and therefore a suit has been filed in O.S.No.667 of 2017 before the District Munsif Court, Salem seeking for a

relief of permanent injunction against the concerned landlord not to evict the petitioner unless otherwise by due process of law and the said suit is pending. In the meantime, the present petition has been filed seeking for police protection.

3. If at all the petitioner faces resistance from the landlord and she is not permitted to run the petrol outlet, appropriate orders must be sought for only before the Civil Court and the police will not have any right to interfere with the private dispute between the petitioner and her landlord. The present petition that has been filed before this Court seeking for police protection is clearly not maintainable.

4. Therefore, the Criminal Original Petition is dismissed. Liberty is granted to the petitioner to file appropriate application before the Civil Court where the suit is pending in O.S.No.667 of 2017 and work out her remedy in the manner known to law. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

bsm

To

1.The Superintendent of Police,
Salem.

2.The Sub Divisional Magistrate cum
Revenue Divisional Officer,
Salem.

3.The Inspector of Police,
Karipatti Police Station,
Salem District.

Copy To;

The Additional Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Ezhilarasan, Advocate, S.R.No. 76884

CrI.O.P No.25540 of 2018

VGI (CO)

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