

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 11.01.2018
CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE P. RAJAMANICKAM**Cr1.O.P(MD)No.482 of 2018**

Maheshwari @ Eswari

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Karur District.

2.The Inspector of Police,
Palaviduthi Police Station,
Palaviduthi, Karur District.

3.Murugesan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents to give adequate police protection for the life and limb of the petitioner and her husband based on the representation of the petitioner, dated 04.01.2018.

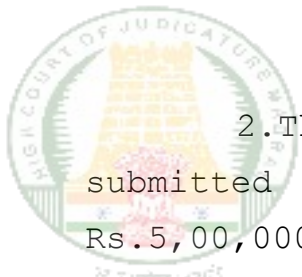
For Petitioner : Mr.S.Karthick Subramanian

For Respondents : Mr.Prabu Ramachandran
Government Advocate (Cr1.side)
(for R1 and R2)

: No appearance
(for R3)

O R D E R

This petition has been filed to direct the second respondent to give police protection for the life and limb of the petitioner and her husband, based on the representation given by the petitioner on 04.01.2018.



2.The learned counsel appearing for the petitioner has submitted that the petitioner's son-in-law borrowed a sum of Rs.5,00,000/- from the third respondent for purchasing a bore-well engine. He further submitted that even though the petitioner's son-in-law has repaid the said amount, the third respondent forcibly obtained sale deed from the petitioner on 28.12.2014. Even after executing the said sale deed, the petitioner is continuing in possession of the said property. But suppressing the said fact, the third respondent has filed a suit in O.S.No.267 of 2017, on the file of the District Munsif Court, Kulithalai. The learned District Munsif has passed an order of status-quo. As the petitioner is in possession of the said property, now, the third respondent is threatening the petitioner to vacate the premises and hence, the petitioner lodged a complaint before the second respondent on 04.01.2018, but so far, no action being taken.

3.The learned Government Advocate (Crl.side) has submitted that after receipt of the complaint, CSR.No.4 of 2018 has been issued and the complaint is still pending for enquiry.

4.Admittedly, the third respondent has filed a suit before the District Munsif, Kulithalai, and in that suit, status-quo has been ordered. If really the petitioner is in possession of the property, it is open to the petitioner to file a petition in that suit to vacate the said status quo order or seeking injunction not to disturb her possession. Since already the matter has been seized by the Civil Court, the petitioner has to get remedy only before the Civil Court.

5.With the aforesaid observations, this criminal original petition is disposed of.

Sd/-
Assistant Registrar (CS-III)



1.The Superintendent of Police,
Office of the Superintendent of Police,
Karur District.

2.The Inspector of Police,
Palaviduthi Police Station,
Palaviduthi.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.S.KARTHICK SUBRAMANIAN, Advocate SR.No.42014.

Cr1.O.P(MD)No.482 of 2018
11.01.2018

rmk
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