



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P. (MD)No.14608 of 2018

WEB COPY

Subbulakshmi

: Petitioner

Vs.

1. The Deputy Superintendent of Police,
Tirunelveli.

2. The Inspector of Police,
Chinnakovilangulam Police Station,
Sankarankovil,
Tirunelveli District.

3. P.Mariammal

4. R.Ponraj

5. R.Sathurappa Naicker

6. Kanagaraj

7. Seenivasaga Naicker

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C to direct the respondents 1 and 2 to provide adequate Police protection to the life and limb of the petitioner and her family members so as to enable the petitioner and her family members to be in peaceful possession and enjoyment of the property in Survey No.203/2 in Maruthappapuram Village, Sankarankovil Taluk, Tirunelveli District to an extent of 0.08.0 hectare and 1/3rd right in using the water in the common well and motor pump set.

For Petitioner

: M/s.P.Jessi Jeeva Priya

For Respondents 1 & 2

: Mr.K.Suyambulinga Bharathi

Government Advocate (Crl.side)

ORDER

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

2.The learned counsel appearing for the petitioner submitted that a decree has been passed in O.S.No.211 of 1999 and the petitioner has right to draw water from the well and the respondents 3 to 7 do not have right to prevent the petitioner



from taking water and as defendants in the suit, they are bound by the decree passed by the Civil Court.

3.The learned Government Advocate (Crl.side) submitted that the representation given by the petitioner in this regard is pending before the second respondent.

4.The only issue involved in this case is drawal of water from the well in which both the petitioner and the respondents 3 to 7 will have right as per the decree passed by the competent Civil Court. The second respondent can issue summon to all the parties concerned and ensure that the parties are permitted to draw water from the well without causing any law and order problem. The petitioner and the respondents 3 to 7 are directed to co-operate with the second respondent in arriving at a mutually agreed settlement for drawing of water from the wall.

5.This Criminal Original Petition is disposed of, with the above directions.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Deputy Superintendent of Police,
Tirunelveli.
2. The Inspector of Police,
Chinnakovilangulam Police Station,
Sankarankovil,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.P.Jessi Jeeva Priya,Advocate Sr.No.79266

gns

VB/RP/SAR2/06.09.2018/ 2P/ 5C

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