



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.11.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.(MD).No.19992 of 2018

R.Rama Moorthi

... Petitioner

Vs.

1.The Sub Inspector of Police,
Thiruchitrambalam police station,
Peravurani Taluk,
Thanjavur District.

2.M.A.Rejaak

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to direct the first respondent to give adequate police protection to the petitioner as well as his family members on the basis of his complaint to the first respondent dated 10.09.2018.

For Petitioner :Mr.P.Subbaraj

For R-1 :Mr.R.Anandharaj
Additional Public Prosecutor

For R-2 : Mr.Arun Prasad

O R D E R

This petition has been filed to direct the first respondent to give adequate police protection to the petitioner as well as his family members on the basis of the petitioner's complaint to the first respondent, dated 10.09.2018.

2.The learned counsel for the petitioner would submit that the petitioner had purchased the property from the second respondent by a registered sale deed, dated 07.02.2017 situated in Old No.151/1A, New No.157/1A1, to an extent of 17 cents at Aavanam Village, Peravurani Taluk, Thanjavur District. After purchase of the property, the petitioner had applied for change of patta and the property has been assigned in Survey No.157/1A2B and that he has also obtained E.B. Connection, on 08.10.2010 and till date he is enjoying the property without any disturbance.

3.The learned counsel for the petitioner would further submit that after executing the sale deed, the second respondent has no



other legal rights over the property but, without any right the second respondent trespassed and damaged the property and when the petitioner questioned the same, the second respondent abused him using filthy language and threatened the petitioner with dire consequences and thereby, the petitioner had preferred a first complaint, dated 10.09.2018 to the first respondent and that the first respondent has also given a receipt. It would submit that further the first respondent had not taken any action.

4.Today, Mr.Arun Prasad, learned counsel for the second respondent would submit that based on the fabricated document, the petitioner is claiming to be in possession of the property in respect of which a complaint has been preferred by the second respondent to the first respondent police and that they had not taken steps till date. He would also submit that the second respondent is holding the possession of the property, whereas a false complaint has been lodged by the petitioner and an attempt has been made to dispossess him from the property.

5.Since there are rival complaints pending between the parties, the first respondent shall conduct an enquiry in accordance with law. However, the first respondent shall not interfere with the civil rights of both parties.

6.With the above observation, this Criminal Original Petition stands closed.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

- 1.The Sub Inspector of Police
Thiruchitrambalam police station,
Peravurani Taluk,
Thanjavur District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO Mr.P.Subbaraj, Advocate Sr.No.95023

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