



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.10.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD)No.18235 of 2018

A.Annapechi .. Petitioner

-Vs-

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Deputy Commissioner of Police,
Law & Order, Madurai City, Madurai.

3.The Inspector of Police,
C3,S.S.Colony Police Station,
Madurai.

4.Mookaiah

5.Mathivanan .. Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent to direct the respondents 1 to 3 to provide adequate police protection to the petitioner to ensure peaceful possession and enjoyment of the residential house situated at Old Door no.66/1, New Door No.245 (882 sq.ft) Theni, Main Road, Meenakshipuram, Ponmeni Village, Madurai Town and District as per the Civil court decree in O.S.NO.590 of 2009 dated 09/10/2017 within a time frame fixed by this Honourable Court on the basis of the representation of the petitioner dated 21/04/2018.

For Petitioner	: Mr.B.Saravanan
For Respondent	: M/s.S.Bharathi for R1 to R3 Government Advocate (Crl. Side)

ORDER

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

2.It is the case of the petitioner that the fourth and fifth respondents are interfering with the possession and enjoyment of the property. The petitioner had filed a suit in O.S.No.590 of 2017 seeking the relief of declaration and mandatory injunction. <https://hcservices.courts.gov.in/hcservices/> Madurai Sub Court, Madurai, by judgment and decree, dated 09.10.2017, rejected the claim of the petitioner insofar as



the relief of declaration is concerned. However, the Court had granted the relief of the permanent injunction.

3.The learned counsel for the petitioner submits that inspite of the judgment passed in favour of the petitioner, the respondents 4 and 5 are taking law into their own hands and prevent the petitioner from having access to her property by parking a vehicle right in-front of the entrance of the property. The petitioner had also given a complaint before the respondent and the respondent have also given a CSR receipt on 28.03.2018.

4.The third respondent is directed to call the parties and give specific directions to the fourth and fifth respondents to work out their remedy before the competent Civil Court and not to take law into their own hands. If, inspite of the same, the fourth and fifth respondents indulged in any other illegal activity, the respondent police is directed to take action against them. The petitioner is also given liberty to move appropriate civil court to punish the fourth and fifth respondents, if they have violated the decree of injunction passed against them by filing a petition under Order 21 Rule 32 of C.P.C.

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

Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar(CS-I)

To

- 1.The Commissioner of Police,
Madurai City, Madurai.
- 2.The Deputy Commissioner of Police,
Law & Order, Madurai City, Madurai.
- 3.The Inspector of Police,
C3,S.S.Colony Police Station,
Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



Copy to

The IIIrd Additional Subordinate Judge,
madurai

WEB COPY

+1 CC To MR.B.SARAVANAN, Advocate SR. NO. 90301

CRL.O.P. (MD) No.18235 of 2018
11.10.2018

TM

TR/SV/SAR-I (12.11.2018) 3P 7C