

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED: 09.01.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.709 of 2019

C.Elangovan

... Petitioner

-Vs-

1. The Inspector of Police,  
Ramanatham Police Station,  
Ramanatham,  
Thitakkudi Taluk,  
Cuddalore District.

2. Manokaran ... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to direct the 1<sup>st</sup> Respondent to provide protection to the Petitioner's life and limb and the crops.

For Petitioner : Mr.R.Diwaharan

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor for R1

ORDER

This petition has been filed seeking for police protection.

2. It is seen from records that the petitioner filed a suit in O.S.No.180 of 2006 before the learned Additional District Munsif Court, Thittakudi, against the 2<sup>nd</sup> respondent and others seeking for relief of declaration and consequential injunction. That suit was dismissed by judgment and decree dated 09.08.2017. As against the same, the petitioner also filed an appeal in A.S.No.42 of 2017 and the same is pending before the Sub Court, Thittakudi. During the pendency of this appeal, the 2<sup>nd</sup> respondent and others seem to have been interfering with the possession and enjoyment of the property and are also causing threat to the petitioner.

3. The petitioner has therefore given a complaint before the respondent police on 29.11.2018, seeking for police protection. Since no action has been taken by the respondent police, the present petition has been filed seeking for appropriate direction.

4. Admittedly, in this case, the appeal is pending in A.S.No.42 of 2017. Therefore, the petitioner has to necessarily seek for appropriate relief only before the Appellate Court. The police cannot give any police protection without an order of the Civil Court. The petitioner cannot independently maintain the petition seeking for police protection before this Court.

5. This Criminal Original Petition is disposed of by giving liberty to the petitioner to workout his remedy in the pending appeal in A.S.No.42 of 2017 and redress his grievance.

Sd/-

Assistant Registrar(CS iii)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,  
Ramanatham Police Station,  
Ramanatham,  
Thitakkudi Taluk,  
Cuddalore District.

2. The Public Prosecutor,  
High Court, Madras.

+lcc to Mr.R.Diwharan , Advocate SR.No. 2584

A.SK(14/02/2019)

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सत्यमेव जयते

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