

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.2917 of 2019

Alamelumangai

... Petitioner

Vs.

1. The Superintendent of Police,
Thiruvannamalai.

2. The Inspector of Police,
Arni Taluk Police Station,
Arni, Thiruvannamalai District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the 2nd respondent to give the police protection to the petitioner.

For Petitioner : Mr. S.Sasikumar

For Respondents: Mr. M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed seeking for police protection.

2. It is seen from the records that in respect of the subject property, against the petitioner, one, Mr.Ravakannn filed a suit in O.S.No.57 of 2007 before the learned Subordinate Court, Arni, which was dismissed on the ground of barred by limitation, and the petitioner also complied with the condition imposed by the court below. However, the said Ravakannan and his son have not handed over the property to the petitioner and are also threatening with dire consequences.

3. The learned counsel for the petitioner would submit that in spite of the order passed by the court below, the said Ravakannan and his son have not handed over the property to the petitioner. Instead of the same, they mutated the revenue records and consequently obtained electricity connection in their name, and now they are also threatening with dire consequences. Therefore, the petitioner gave a complaint to the

respondent police seeking for police protection. Since the same was not considered, this petition has been filed seeking for appropriate direction.

4. The learned Additional Public Prosecutor would submit that the respondent police cannot give police protection in a case of this nature.

5. Heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor for the respondent police.

6. The petitioner in this case has admittedly complied with the condition imposed by the court below, but the said persons are continuously interfering the possession and enjoyment of the property by the petitioner. The petitioner has to file an appropriate petition before the Court below and initiate contempt proceedings. It is also possible for the petitioner to seek for police protection before the Court below, by filing an appropriate petition under Section 151 of Cr.P.C. The petitioner cannot maintain an independent petition before this Court seeking for police protection. The police cannot interfere in this case, unless, a specific direction is given by a competent Civil Court.

7. In view of the above, this Criminal Original Petition is disposed of, by giving liberty to the petitioner to workout his remedy before the Court below in the manner indicated herein above.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

ksa-2/lok

To

1. The Superintendent of Police,
Thiruvannamalai.
2. The Inspector of Police,
Arni Taluk Police Station,
Arni, Thiruvannamalai District.

WEB COPY

3. The Government Advocate,
High Court of Madras.

+lcc to Mr. S.Sasikumar, Advocate sr.no.9539

Cr1.O.P.No.2917 of 2019

rsi(co)
nr 14/03/2019



WEB COPY