

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.4004 of 2019

S.M.Selvaraj

...Petitioner

Vs.

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Ariyalur.

2.The Inspector of Police,
Jayankondam Police Station,
Jayankondam,
Ariyalur.

3.Shanmugam

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the 2nd respondent to give adequate police protection to the petitioner and to his property in pursuant to the proceedings issued by the 1st respondent dated 18.09.2018 vide Na.KA.No.5/4851/18.

For Petitioner : Mr.B.Balavijayan

For R1 and R2 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed by the petitioner seeking direction to the second respondent to give adequate police protection on the basis of petitioner and to his property in pursuant to the proceedings issued by the 1st respondent dated 18.09.2018 vide Na.KA.No.5/4851/18.

2.Admittedly, the third respondent is the adjacent land owner and he is preventing to construct a house in the petitioner's property. A suit for specific performance has been filed by the third respondent in O.S.No.233 of 2018 and the same is pending before the District Munsif Court, Jayankondam. This dispute has to be necessarily resolved only before the Civil

Court. The police cannot give any protection, since it involves civil right between the parties.

3. At this juncture, the police cannot give any protection, since it involves civil right between the parties. Hence, this Criminal Original Petition is disposed of by giving liberty to the petitioner to work out his remedy before the appropriate Civil Court.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rpl/ssr

To

- 1.The Revenue Divisional Officer,
Revenue Divisional Office,
Ariyalur.
- 2.The Inspector of Police,
Jayankondam Police Station,
Jayankondam,
Ariyalur.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.

+1cc to Mr.B.Bala Vijayan, Advocate Sr.13855

Cr1.O.P.No.4004 of 2019

rr[col]
srg 18/03/2019

WEB COPY