

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 18.02.2019
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.4326 of 2019

A.Mangaiyakkarasi

.. Petitioner

Vs.

1.The Superintendent of Police,
Cuddalore District, Cuddalore.

2.The Deputy Superintendent of Police,
Tittakudi, Cuddalore District.

3.The Inspector of Police,
Ramanatham Police Station,
Thozhudur,
Cuddalore District.

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C. to direct the first respondent to provide police protection to the petitioner's life and property.

For Petitioner : Mr.S.Mohan

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

O R D E R

This petition has been filed seeking for police protection.

2. The learned counsel for the petitioner would submit that the petitioner has become the absolute owner of the house property comprised in Old Survey No.107/1, New Survey No.107/15 & 16, Avatti Village, Tittakudi Taluk, Cuddalore District to an extent of 1022 Sq.ft by way of registered sale deeds dated 07.07.2010. The petitioner has put up construction and has been in possession and enjoyment of the same and the petitioner has put up a compound wall at the backside of her house. While so, the adjacent land owner is creating disturbance for the peaceful possession and enjoyment of the petitioner's property and threatening the petitioner with dire consequences to demolish the compound wall. Hence, the petitioner lodged several complaints to the respondent police. Since, no action has been taken, the petitioner has filed the present petition with the aforesaid prayer.

3. The learned Additional Public Prosecutor would submit that the respondent police cannot give police protection in a case of this nature, since, it is a land dispute and purely civil in nature.

4. Heard Mr.S.Mohan, learned Counsel for the petitioner and Mr.Mohammed Riyaz, learned Additional Public Prosecutor for the respondents police.

5. In view of the above, the petitioner has to file an appropriate petition before the Court below and seek remedy. 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.

6. Accordingly, this Criminal Original Petition is disposed of, by giving liberty to the petitioner to workout her remedy before the Court below in the manner indicated herein above.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Superintendent of Police,
Cuddalore District,Cuddalore.
- 2.The Deputy Superintendent of Police,
Tittakudi, Cuddalore District.
- 3.The Inspector of Police,
Ramanatham Police Station,
Thozhudur,Cuddalore District.
- 4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Mohan, Advocate, S.R.No.14421

Cr1.O.P.No. 4326 of 2019

BS(CO)
rrs 15/03/2019