

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.4185 of 2019

K.Ramachandran

...Petitioner

Vs.

1.The Superintendent of Police,
District Police Office,
Cuddalore - 607 001.

2.The Inspector of Police,
Kadampuliyur Police Station,
Kadampuliyur,
Panruti Taluk,
Cuddalore District-607 103

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the Superintendent of Police, Cuddalore District to provide necessary police protection to prevent the law and order situation to afford adequate and effective police protection to the petitioner, supervisors and work men of the petitioner employed in the construction site, comprised in Survey Numbers.113/5 and 111/1 in Kadampuliyur Village in Panruti Taluk in Cuddalore District from unlawful obstruction by the above said three groups, their men and agents or anybody claiming under them for the reconstruction of the Iyyanar Temple with due process of law.

For Petitioner : Mr.Krishanasamy Chinnasamy

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

ORDER

This petition has been filed seeking for police protection.

2. It is seen that the peace committee meeting was held on 15.12.2018 and resolution has been passed in Na.Ka.No. A2/40/2018. It is also seen that the petitioner starts temple

construction work and the other groups i.e., residing the same are started threatening to obstruct the construction work.

3. The learned Additional Public Prosecutor would submit that the respondents 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.Krishnasamy Chinnasamy, 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

mpa/lpp

To

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

2.The Inspector of Police,
Kadampuliyur Police Station,
Kadampuliyur,
Panruti Taluk, Cuddalore District.

3.The Public Prosecutor,
High Court of Madras.

+2 cc's to Mr.Krishnasamy Chinnasamy, Advocate Sr.No.13801

Cr1.O.P.No.4185 of 2019

ssv(co)
CSL/26.03.2019