

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:14.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.6841 of 2019

- 1.R.Balaji
- 2.R.Udhayakumar
- 3.C.Savithri
- 4.J.Thilothama
- 5.Vijayalakshmi
- 6.Malini
- 7.Rama Ravindra kumar
- 8.R.Gunavathy
- 9.R.Rajendran
- 10.R.Sumathy

.... Petitioners

Vs.

The State by

- 1.The Asst. Commissioner of Police
Maduravoyal Range, Maduravoyal
Chennai-600 095

- 2.Inspector of Police,
T-4, Maduravoyal Police Station,
Maduravoyal Post
Chennai-600 077.

- 3.Backiyanathan
- 4.Kalaimozhi
- 5.Meena
- 6.Jagan
- 7.Jayanthi
- 8.Sivanandan
- 9.Selva@ Selvaraj
- 10.Murugan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent to provide with necessary police force and necessary protection for the petitioners to fence their property.

For Petitioners : Mr.S.Rajendran

For Respondents : Mr.C.Raghavan

Govt. Advocate (crl.Side)

O R D E R

This Criminal Original Petition has been seeing direction to the 2nd respondent police to provide police protection.

2. The learned counsel for the petitioners would submit that the petitioners have purchased an extent of land in old survey No.88/1D presenty R.S.No.117/2 in Noomnal Village, Maduravoyal Taluk, Thiruvallur District. While the petitioners started to fence their land, the respondents 3 to 10 have caused disturbance to the petitioners. Hence, the petitioners lodged a complaint before the respondent police. Since, no action has been taken, the petitioners have filed the present petition with the aforesaid prayer.

3. The learned Government Advocate 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.Rajendran, learned Counsel for the petitioner and Mr.C.Raghavan, learned Government Advocate 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 their remedy before the Court below in the manner indicated herein above.

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

vsn

To

1.The Asst. Commissioner of Police
Maduravoyal Range, Maduravoyal
Chennai-600 095

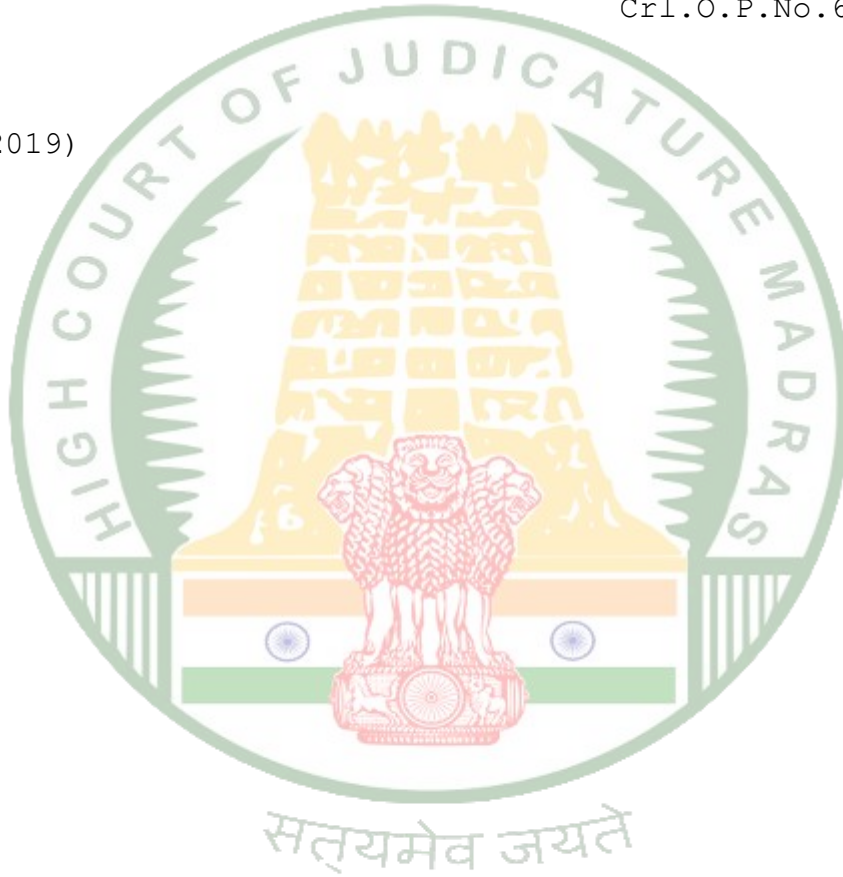
2. Inspector of Police,
T-4, Maduravoyal Police Station,
Maduravoyal Post, Chennai-600 077.

3. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.S.Rajendran, Advocate sr 25950.

CrI.O.P.No.6841 of 2019

SAI (CO)
SP (25/04/2019)



WEB COPY