

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.06.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Cr1.O.P.No.13832 of 2019

M.Nagasamy

.. Petitioner

Vs.

The Inspector of Police,
Pallipalayam Police Station,
Pallipalayam,
Namakkal District.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent police to provide the necessary police protection to the life of the petitioner and to the agricultural lands in the Survey Nos.110/1 and 110/9 to the extent of an area of 0.14.50 hectares and 0.17.00 hectares respectively which are in the possession of the petitioner on the basis of the representation sent on 02.05.2019.

For Petitioner : Mr.A.J.Mohamed Kassim

For Respondent : Mr.C.Raghavan
Government Advocate (Cr. Side)

O R D E R

This petition has been filed seeking for police protection for the life and property of the petitioner.

2. It is seen from the records that the petitioner filed a suit in O.S.No.368 of 1998 before the District Munsif Court, Tiruchengode, seeking for the relief of specific performance and a decree was passed in favour of the petitioner and the sale deed was also executed in favour of the petitioner in the year 2005. Thereafter, the petitioner filed E.P.No.92 of 2004 seeking for delivery of possession of the property. The Court Ameen was appointed and he measured the property, marked the boundaries and thereafter, delivered the possession to the petitioner. This was recorded by the Execution Court and E.P was closed on 31.07.2018.

3. It is the grievance of the petitioner that in spite of obtaining decree from the competent Civil Court and delivery of possession having been granted in favour of the petitioner, the counter party along with others are threatening the petitioner and preventing the petitioner from entering the property and they have gone to the extent of removing the boundary stones fixed by the court bailiff. Hence, the petitioner made a complaint before the respondent police on 02.05.2019 seeking for police protection and since the same was not acted upon, the present petition has been filed before this Court.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing on behalf of the respondent.

5. Taking into consideration the facts and circumstances of the case, the respondent police is directed to act upon the complaint dated 02.05.2019 given by the petitioner and call upon the counter parties not to interfere with the possession of the petitioner or cause any threat to the life of the petitioner and if in spite of the same, there is any interference, action shall be taken in accordance with law and if necessary, police protection shall be granted to the petitioner.

6. With the above directions, this Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

To

1. The Inspector of Police,
Pallipalayam Police Station,
Pallipalayam,
Namakkal District.

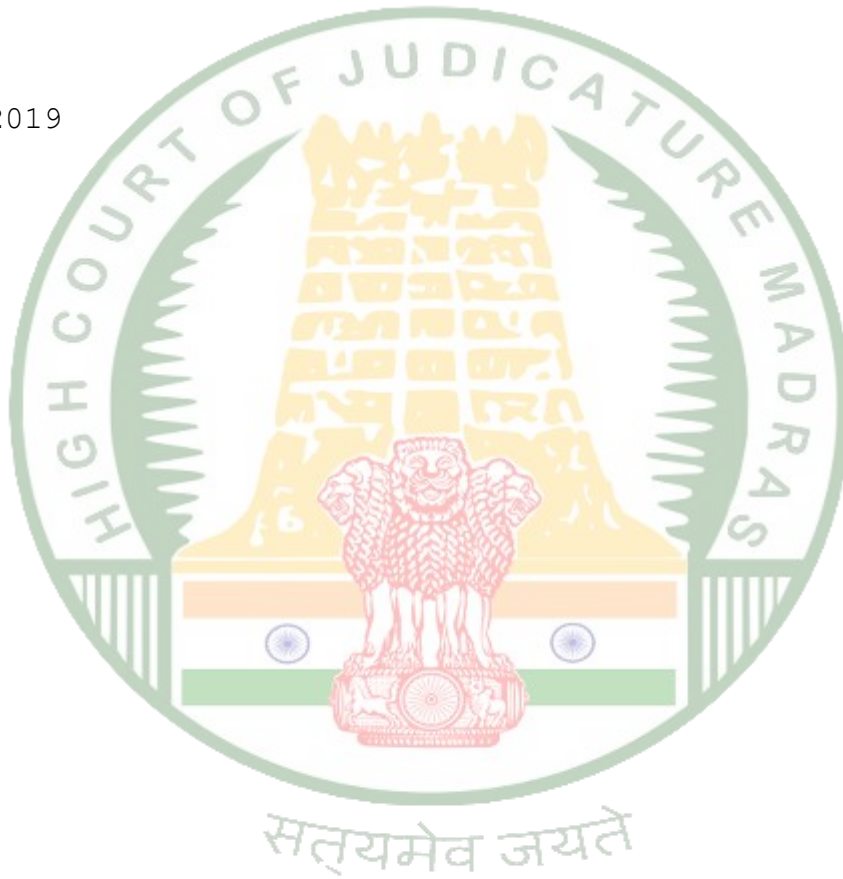
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2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.J.Mohamed Kassim, Advocate Sr.44765

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pm[co]
srg 27/6/2019



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