

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.20454 of 2019

T.Ravi

... Petitioner

Vs.

1. The Inspector of Police,
C-2, Police Station,
Race Course, Coimbatore - 18

2. Marappa Gounder

..Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the 1st respondent to give police protection to the petitioner based on the representation dated 15.03.2019.

For Petitioner : Mr.P.Ananda Kumar

For Respondents : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor for R1

ORDER

This petition has been filed seeking for police protection.

2. The petitioner claims that he is the absolute owner of the property and he is in possession and enjoyment of the same. The 2nd respondent was interfering with the possession and enjoyment of the property and therefore, the petitioner filed a suit in O.S.No.2751 of 2006 before the 2nd Additional District Munsif Court, Coimbatore. The suit was decreed by judgement dated 06.06.2015. The 2nd respondent had filed an appeal before the 1st Additional Sub Court, Coimbatore and the said appeal was also dismissed by judgement dated 24.07.2013 and the Appellate Court confirmed the decree of the Trial Court.

3. It is the grievance of the petitioner that in spite of judgement of the competent Civil Court, the 2nd respondent continuous to exert threat against the petitioner and is interfering with the peaceful possession and enjoyment of the property.

4. Heard the learned counsel for the petitioner and learned

Additional Public prosecutor appearing on behalf of the respondents.

5. Taking into consideration the facts and circumstances of the case, there shall be a direction to the 1st respondent to call the parties for an enquiry. If the judgment passed by the Sub-Court has become final, the 2rd respondent may be instructed not to cause any threat or disturbance to the possession of the petitioner. If in spite of the same, the 3rd respondent continues to exert threat, action may be taken in accordance with law. If the 3rd respondent has filed any second Appeal against the judgment of the Sub Court, the parties may be relegated to the appropriate competent Civil Court.

6. This criminal original petition is disposed of accordingly.

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31.07.2019

Index :Yes/No
Internet:Yes/No
rka

N. ANAND VENKATESH,J

rka

To

1. 1st Additional Sub Court, Coimbatore
2. The Inspector of Police,
C-2, Police Station,
Race Course, Coimbatore - 18
3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.20454 of 2019



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