

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 02.01.2019
CORAM:
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH
Cr1.O.P.No.30303 of 2018

M.V.Chinnaraj

...Petitioner

Vs.

- 1.The Superintendent of Police,
Dharmapuri District,
Dharmapuri.
- 2.The Inspector of Police,
Maranda Halli Police Station,
Dharmapuri District.
- 3.G.Raji
- 4.Murugan

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to direct the respondents 1 and 2 to give necessary police protection to the petitioner's life and property in compliance with the judgment dated 28.04.2018 made in O.S.No. 10 of 2018 passed by the learned Sub Court, Palakkode by considering his petition dated 26.10.2018.

For Petitioner : Mr.N.Manokaran
For R1 and R2 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed by the petitioner seeking for police protection.

2 The petitioner has already filed a suit in O.S.No.10 of 2018 before the Sub Court Palakkode, seeking for the relief of declaration and permanent injunction and the suit was decreed by judgment and decree dated 28.04.2018. According to the learned counsel for the petitioner, till date no appeal has been filed as against this decree.

3 The learned counsel for the petitioner submitted that in spite of the decree passed in favour of the petitioner, the 3rd and 4th respondents continue to interfere with the possession and enjoyment of the petitioner and are also causing threat to the petitioner. In this regard, a complaint was given both to the 1st and 2nd respondents and since no action has been taken, the present petition has been filed before this Court seeking for police protection.

4 This Criminal Original Petition is disposed of, with the direction to the 2nd respondent to act upon the representation dated 26.10.2018 given by the petitioner and call the parties for an enquiry and direct the 3rd and 4th respondents not to interfere with the possession and enjoyment of the property or cause threat to the petitioner. The 3rd and 4th respondents will have to workout their rights only in the manner known to law and they cannot take law into their own hands. If in spite of the instructions, the 3rd and 4th respondents continue to indulge in causing threat to the petitioner or interfere with the possession and enjoyment of the petitioner, the 2nd respondent shall take immediate action against them and if necessary shall also provide police protection to the petitioner.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mpa/rpl

To

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

2.The Inspector of Police,
Maranda Halli Police Station,
Dharmapuri District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.N.Manokaran, Advocate, S.R.No.308

CrI.O.P.No.30303 of 2018

SPD(CO)

GSP(23/01/2019)