

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.30423 of 2018

1.Saraswathi
2.R.Poornima
3.R.Renuga
4.P.Thiruvengadam ...Petitioners

Vs.

1.The Commissioner of Police,
Tiruppur District,
Tiruppur.
2.State rep. By its,
The Inspector of Police,
Central Police Station,
Tiruppur. ...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to direct the 2nd respondent police to give adequate police protection to the petitioners for putting up compound wall of their land comprised in Survey No.120/1, site No.32 situated at Parapalayam, south side of Mangalam Road, Tiruppur, Tiruppur District.

For Petitioners : Mr.K.Myilsamy

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

ORDER

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

2 According to the learned counsel for the petitioners, the petitioners have already filed a suit in O.S.No.636 of 2005, on the file of the District Munsif Court Tiruppur. In the said suit, I.A.No.1715 of 2005 was filed and an order of interim injunction was also granted in favour of the

petitioners. In spite of the same, the other party is preventing the petitioners from putting up compound wall in the property. Hence, the present petition has been filed seeking for police protection.

3 Admittedly in this case, a suit is pending and the interim injunction has already been granted in favour of the petitioners. If there is any violation of the said order of interim injunction and the petitioner is prevented from putting up the compound wall and renovate the property, the petitioner has to seek for an appropriate relief only before the Court in which the suit is pending. The petitioner cannot maintain an independent petition before this Court seeking for police protection.

4 In the facts and circumstances of the case, this Criminal Original Petition is disposed of by granting liberty to the petitioner to workout their remedy in the pending suit and seek for an appropriate relief.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mpa/rpl

To

1.The Commissioner of Police,
Tiruppur District,
Tiruppur.

2.The Inspector of Police,
Central Police Station,
Tiruppur.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr. B.Parthiban, Advocate, S.R.No. 245

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PA(CO)
GN(24/01/2019)