



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE. N. SESHASAYEE

CrI.O.P. [MD].No.4747 of 2019

K.Murugesan

: Petitioner

/Vs./

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

2.The Inspector of Police,
Pasupathipalayam Police Station,
Vellaiyanai Circle, Karur District.

3.The Sub Inspector of Police,
Velliyanai Police Station,
Karur District.

4.Vaiyapuri

5.Nagammal

6.Malarkodi

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to to direct the respondents 1 to 3 to provide adequate police protection to the petitioner and the property in S.No.1998/1, 1696/1, 1698/1,2,3,4 situated at Velliyanai Village, Karur Taluk, Karur District based upon Civil Court decree in O.S.No.120 of 2016 on the file of the Additional Sub Judge, Karur, dated 26.03.2018 in respect of taking water in bore well situated in S.F.No.1998/1, as per the representation of the petitioner dated 18.03.2019.

For Petitioner : Mr.S.Gokul Raj

For R-1 to R-3 : Mr.V.Neelakandan

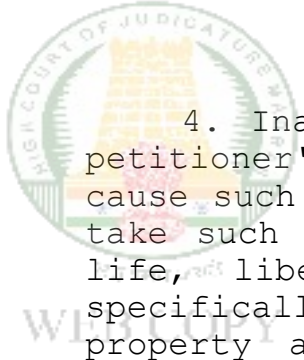
Additional Public Prosecutor

ORDER

The petitioner now faces threat to his life, limb and liberty and right to property at the hands of the respondents 4 to 6 herein. Earlier, there were two suits laid with regard to the property in O.S.No.120 of 2016 and O.S.No.268 of 2014, of the two suits, O.S.No.268 of 2014 is concerned, the suit was laid by the respondents 5 and 6 herein interalia against the present petitioner. By a common judgment dated 26.03.2018, they came to be dismissed. The petitioner having succeeded in establishing his title now wants to take water from the borewell in his own property, but he is obstructed.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor.

3. The learned Additional Public Prosecutor submitted that the complaint is pending.



4. Inasmuch as the decree of the lower Court has secured the petitioner's right, this Court now directs the second respondent to cause such necessary enquiry on the complaint of the petitioner and take such appropriate decision as may be necessary to protect the life, liberty and right to the property of the petitioner, specifically his right to draw water from the borewell in his property and the second respondent may consider appropriate to secure the petitioner's right over the property subject to any order that might be passed by any appellate Court in the eventuality of the private respondents preferring an appeal against the said decree.

5. With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar(co)

/True Copy/

Sub Assistant Registrar(CS-III)

To

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

2.The Inspector of Police,
Pasupathipalayam Police Station,
Vellaiyanai Circle, Karur District.

3.The Sub Inspector of Police,
Velliyanai Police Station,
Karur District.

+1cc to Mr.S.Gokul Raj, Advocate, SR.No.57893

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SP/01.04.2019/ 2P/6C