



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE
Crl.O.P. (MD)No.5084 of 2019

V.Chockalingam

... Petitioner

/Vs./

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

2.The Inspector of Police,
Solavandan Police Station,
Madurai District.

3.Ponniah
4.Thamayanthi
5.Periyakkal
6.Ariyanatchi

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the 2nd respondent to provide adequate police protection to the petitioner and his family members' life as well as during the time of constructing the building situated in Patta No.946, Natham new Survey No.850/26, situated at Solavandan Village, Solavandan Hamlet, Madurai District, on the basis of the petitioner's representation dated 01.03.2019.

For Petitioner
For R-1 & R-2

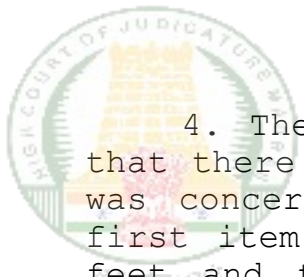
: Mr.T.K.Gopalan
: Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

The present petition is filed seeking police protection as the petitioner faces threat to his life and right to property from the respondents 3 to 6.

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

3. The learned counsel appearing for the petitioner submitted earlier there was a civil litigation over a strip of three feet wide property on the southern side of his residential building which culminated in a decree in S.A.(MD)No.267 of 2017 before the this Court, (in which, the third respondent herein was the appellant), by which the second appeal was partly allowed.



4. The learned counsel appearing for the petitioner would add that there are two items of properties, of which, the second appeal was concerned only with the second item of the property and the first item of the property is a strip of land measuring 33' x 3' feet and the petitioner now faces obstructions from the private respondents, when he attempted to plaster the southern wall of his property and also to construct a septic tank in that steep of land.

5. The learned Additional Public Prosecutor submitted that a representation / complaint preferred by the petitioner is pending.

6. Inasmuch as the complaint preferred by the petitioner is pending enquiry, the second respondent is directed to enquire into the complaint filed by the petitioner and take such appropriate decision as may be necessary to protect the life, limb, liberty and right to property of the petitioner.

7. With the above direction, this Criminal Original Petition is disposed of.

8. It is made clear that this Court does not order granting of police protection 24 x 7 and the second respondent is left to decide on the basis of the objective assessment of the threat perception of the petitioner from time to time.

Sd/-

Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar(CS)

To

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

2.The Inspector of Police,
Solavandan Police Station,
Madurai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.T.K.GOPALAN, Advocate (SR-59356[F] dated 05/04/2019)

CrI.O.P.(MD)No.5084 of 2019

DS(CS) : 07/05/2019 : 2P/5C: