



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE N. SESHASAYEE

Crl.O.P. (MD) No. 5118 of 2019

Malliga

... Petitioner

/Vs./

1. The Superintendent of Police,
Pudukottai District, Pudukottai.
2. The Inspector of Police,
Ponnamaravathi Police Station, Pudukottai District.
3. Selvam
4. K. Mayandi
5. M. Dhanalakshmi
6. S. Kadappan
7. K. Dharumandi
8. C. Ammakannu
9. C. Subramanian
10. T. Rajendran
11. R. Lakshmi

... Respondents

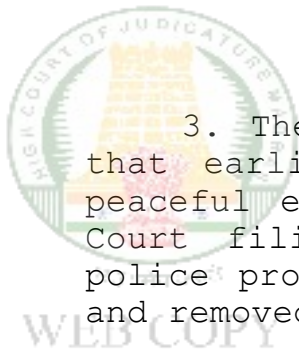
PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents No.1 and 2 to provide police protection to the life and limb of the petitioner and her family members and further direct the respondents no.1 and 2 to give police protection to the petitioner so as to enable the petitioner to put up fencing stone on her property comprised in S.No.628 measuring an extent of 10 cents (30 kuzhi) out of 1.62.0 hectares situated at Ponnamaravathi West Village, Ponnamaravathi Taluk, Pudukottai District, on the basis of the representation of the petitioner dated 03.08.2018.

For Petitioner : Mr.D.Sadiq Raja
For R-1 & R-2 : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

The petitioner alleges that the third respondent was her erstwhile tenant, that he has been duly evicted by the judicial process in O.S.No.174 of 2008, that despite eviction through law, the third respondent along with other respondents 4 to 11 are interfering with the petitioner's right over her property. Now, the petitioner seeks protection.

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



3. The learned counsel appearing for the petitioner submitted that earlier when there was an obstruction to the petitioner's peaceful enjoyment of his property, the petitioner had moved this Court filing a petition in CrI.O.P.(MD)No.1429 of 2017 seeking police protection. Now they have renewed the case of interference and removed the fence put up by the petitioner to her property.

4. The learned Additional Public Prosecutor submitted that a complaint / representation filed by the petitioner is pending enquiry in C.S.R.No.162 of 2019.

5. 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.

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

7. 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(AE)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Pudukottai District, Pudukottai.
2. The Inspector of Police,
Ponnamaravathi Police Station,
Pudukottai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to Mr.D.SADIQ RAJA, Advocate (SR-59355[F] dated 05/04/2019)

CrI.O.P.(MD)No.5118 of 2019
04.04.2019

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