



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2019

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P. (MD) .No.5859 of 2019

Govindharaj

... Petitioner

Vs.

- 1.The Superintendent of Police
Thanjavur District.
- 2.The Inspector of Police
Ayyampettai Police Station,
Thanjavur District.
3. Mohammed Ismail,
4. Ezhavazhagan,
5. Kanniyan,
6. Thangaraj,
- 7.Duraikannu

... Respondents

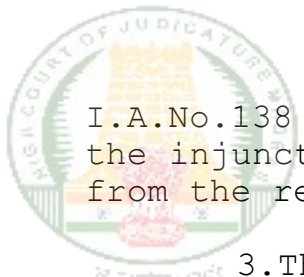
PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to direct the respondents 1 and 2 herein to provide police protection for the petitioners continuous cultivating, harvesting and cutting the samba crops standing in the lands in Survey No.95/2B in Paerumakkanallur Village, Papanasam Taluk, Thanjavur District by considering his representation dated 19.03.2019.

For Petitioner	: Mr.A.Sivasubramanian
For R1 and R2	: Mr.K.Suyambulinga Bharathi Government Advocate (crl.side)
For R3 to R7	: Mr.B.Jameel Arasu

O R D E R

This petition has been filed to direct the respondents 1 and 2 herein to provide police protection for the petitioner's continuous cultivating, harvesting and cutting the samba crops standing in the lands in Survey No.95/2B in Paerumakkanallur Village, Papanasam Taluk, Thanjavur District by considering the petitioner's representation dated 19.03.2019.

2.The learned counsel for the petitioner would submit that the petitioner is a cultivating tenant. Originally, he is a cultivating tenant under the third respondent and thereafter, the property was sold out in favour of the fourth respondent, in turn, the fourth respondent leased out the land to the sixth respondent. Under these circumstances, the petitioner is claiming his right over the property as a cultivating tenant. He also filed a suit in O.S.No.69 of 2018 and obtained an order of interim injunction in



I.A.No.138 of 2018 as against the respondents. On the strength of the injunction order now the petitioner is seeking police protection from the respondents 1 and 2.

3.The learned Government Advocate (criminal side) would submit that on the representation submitted by the petitioner, dated 19.03.2019, the respondent police conducted enquiry and closed the same as civil in nature.

4.Heard both sides.

5.On perusal of the records it is also seen that on the complaint lodged by the sixth respondent, a case has been registered as against the petitioner in Crime No.31 of 2019 for the offences under Sections 294(b), 352 and 506(i) of I.P.C. Therefore, the prayer sought for by the petitioner cannot be considered and it is liable to be dismissed.

6.Accordingly, this Criminal Original Petition is dismissed. However, the petitioner is at liberty to approach the civil Court for seeking appropriate relief in the manner known to law.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Superintendent of Police,
Thanjavur District.

2.The Inspector of Police
Ayyampettai Police Station,
Thanjavur District.

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

+1 CC to M/s.B. JAMEEL ARASU, Advocate SR-91464.

Crl.O.P. (MD) .No.5859 of 2019
04.10.2019

Ls

CS(23.10.2019) 2P 5C