



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2019

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Cr1.O.P. (MD) No.4934 of 2016

WEB COPY

Sahayarajan

... Petitioner

Vs.

1.The Superintendant of Police,
Kanyakumari District,
Nagercoil.

2.The Sub Inspector of Police,
Kottar Police Station, Nagercoil.

3.Abraham

4.Mariya Viyagulam

5.Rethinaswamy

6.Anthoni Sahayam

7.Joy

... Respondents

Prayer: Petition filed under Section 482 of the Criminal Procedure Code seeking to direct the 1st and 2nd respondents to afford sufficient Police Protection to the common pathway in R.S.No.Q17/46 of Vadiveeswaram Village, with a length of 54 feet and having 8.5 feet in the western side and 6 feet in the Eastern side and also to the life and limb of the petitioner and his family from respondents 3 to 7.

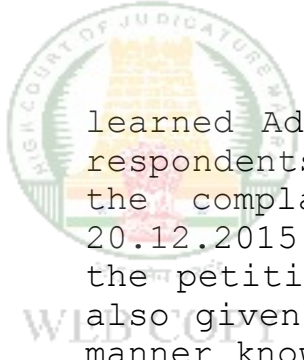
For Petitioner	: Mr.C.T.Perumal
For Respondents	: Mr.S.Chandrasekar, Additional Public Prosecutor, for R1 and R2
	: Mr.L.George Paul Anto for R3 to R6
	: No appearance for R7

ORDER

This Criminal Original Petition has been filed to direct the 1st and 2nd respondents to provide Police Protection to the common pathway in R.S.No.Q17/46 of Vadiveeswaram Village as well as to the life and limb of the petitioner and his family.

<https://hcservices.ecourts.gov.in/hcservices/>

2.When the matter has been taken up for hearing, the



learned Additional Public Prosecutor appearing for the 1st and 2nd respondents would submit that the respondent Police had registered the complaint of the petitioner in CSR No.831 of 2015, on 20.12.2015 they had conducted the enquiry and during the enquiry, the petitioner had appeared before the respondent Police and had also given an undertaking that he would workout his remedy in the manner known to law.

3.The learned Counsel appearing for the respondents 3 to 6, admitted that the petitioner had already approached the civil court and obtained an order of injunction and therefore, construction was made in accordance with the orders of the civil court. According to the learned Counsel appearing for the respondents 3 to 6, they have not encroached any piece of the land in the road.

4.It *prima facie* appears that based on the undertaking given by the petitioner, enquiry before the respondent Police was also closed as early as on 20.12.2015. The petitioner is also aware of the stand now taken by the respondents 3 to 6.

5.In view of the subsequent developments took place in this case, no further orders are required to be passed in this petition and hence, this criminal original petition is closed.

Sd/-

Assistant Registrar (W)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Superintendant of Police,
Kanyakumari District,
Nagercoil.

2.The Sub Inspector of Police,
Kottar Police Station,
Nagercoil.

+1 CC to M/s.C.T.PERUMAL, Advocate (SR-70147[F] dated
20/06/2019)

DSK

Cr1.O.P. (MD) No.4934 of 2016
20.06.2019