



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 13.11.2019
CORAM:
THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P. (MD) No. 11909 of 2019

WEB COPY

Pankajam

: Petitioner

Versus

State represented by

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

2.The Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.

3.K.R.Sundaram @ Karuppaiah

4.A.Chellakannu

: Respondents

Prayer: Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the first and second respondents to provide necessary police protection to the petitioner and her property in Survey No.948 admeasuring 004.0 hectares Door No.17, situated at Vutrukeni Street, Thiurmayama, Pudukkottai District.

For Petitioner	:	Mr.B.Jameel Arasu
For R-1 & R-2	:	Mr.K.Suyambulinga Bharathi Government Advocate (Criminal side)
For R-3 & R-4	:	Mr.D.Anbarasu

O R D E R

This Criminal Original Petition has been filed to direct the first and second respondents to provide necessary police protection to the petitioner and her property.

2. The learned counsel appearing for the petitioner submitted that the third and fourth petitioners have been continuously interfering and obstructing with the petitioner's property. Hence, the petitioner's mother has filed a suit in O.S.No.89 of 2010, on the file of the District Munsif, Thirumayam. The said suit has been decreed in favour of the petitioner. He further submitted that after obtaining the decree, the third and fourth respondents are disturbing their possession and enjoyment of the property and also threatened him with dire consequences. Hence, the petitioner made a complaint before the second respondent Police seeking necessary police protection. But the respondent Police did not take any action on the complaint preferred by the petitioner. Aggrieved over the same, the petitioner has filed the present



3. Today, when the matter is taken up for hearing, the learned Government Advocate (Criminal side) appearing for the respondents 1 and 2 submitted that on receipt of the complaint lodged by the petitioner, the second respondent conducted enquiry between both the parties. On enquiry, both parties agreed to resolve their dispute before the concerned Civil court, since the entire dispute is civil in nature.

4. Since the dispute involved in this case is civil in nature, at this stage, the prayer sought for by the petitioner cannot be granted. However, the petitioner is at liberty to file a fresh complaint on a fresh cause of action before the concerned Police. On receipt of the same, the concerned Police is directed to consider the same and pass orders on merits and in accordance with law.

5. With the above observations and directions, the Criminal Original Petition stands dismissed.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

To

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

2.The Inspector of Police,
Thirumayam Police Station,Pudukkottai District.

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

+1 CC to M/s.D. ANBARASU, Advocate (SR-97996[F] dated 13/11/2019)
+1 CC to M/s.B.JAMEEL ARASU, Advocate (SR-98300[F] dated 14/11/2019

Order made in
Crl.O.P.(MD) No. 11909 of 2019
13.11.2019

TS/Sma/28/11/19/ 2P 6C