



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2019

CORAM:

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

Crl.O.P.(MD) No.12977 of 2019

M.Hasan Kannu

...Petitioner

Vs.

1. The State of Tamil Nadu
Rep. by The Deputy Superintendent of Police
Colachel Sub Division
Kanyakumari District
- 2.The Inspector of Police
Nithiravilai Police Station
Kanyakumari District
3. Marlin Noble
4. Kolappan ...Respondents

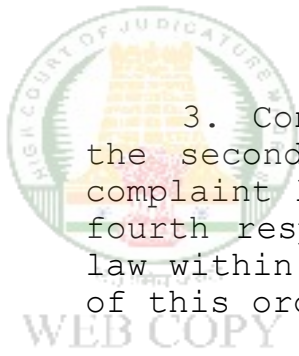
PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondents 1 and 2 to accord police protection to the petitioner to carry on the coumpund wall construction in the Property in S.NO. 1816, R.S . No. 146/10B, Ezhudesom Village, Vilanvancode Taluk, Kanyakumari District admeasuring 14.65 cents based on the complaint dated 14.06.2019.

For Petitioner : Mr.C.K.M.Appaji
For Respondents : Mr.K.Suyambulinga Bharathi
No.1 and 2 Government Advocate(Crl.Side)

ORDER

This petition has been filed seeking direction to direct the respondents 1 and 2 to accord police protection to the petitioner to carry on the coumpund wall construction in the Property in S.NO. 1816, R.S. No. 146/10B, Ezhudesom Village, Vilanvancode Taluk, Kanyakumari District admeasuring 14.65 cents based on the complaint dated 14.06.2019

2. It is seen that the third and fourth respondents already filed a suit in O.S.No.547 of 2010 on the file of the District Munsif, Kulithurai. for injunction in respect of property belonging to the petitioner, comprised in S.No.1816, R.S.No.146/10B admeasuring 5.5 cents situated at Ezhudesom Village, Vilanvancode Taluk, Kanyakumari District and the same was dismissed. In the said suit petitioner filed Interlocutory Application in I.A.No.32 of 2014 to reject the plaint and the same was allowed and confirmed the right of the petitioner. As against which, the third and fourth respondents filed an appeal which is still pending.



3. Considering the above facts and circumstances of the case the second respondent is directed to conduct enquiry on the the complaint lodged by the petitioner with the counter part namely the fourth respondent and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

4. With the above direction the Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Deputy Superintendent of Police
Colachel Sub Division
Kanyakumari District

2.The Inspector of Police
Nithiravilai Police Station
Kanyakumari District

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

+1 CC to M/s.C.K.M. APPAJI, Advocate (SR-87273[F] dated
18/09/2019)

Crl.O.P. (MD) No.12977 of 2019
18.09.2019

KK/SAR/03.10.2019/2P-5C/