

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.01.2020

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.188 of 2020

Thirupathi

... Petitioner

Vs.

1. The State rep. By
The Superintendent of Police,
Krishnagiri District.
2. The Inspector of Police,
Rayakottai Police Station,
Rayakottai Taluk,
Krishnagiri District.
3. Venkataraman
4. Perumal
5. Maadhu
6. Chinnasamy
7. Govindhan
8. Shankar
9. Krishnan

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent to conduct enquiry and give police protection to the petitioner for recovery of his property in S.No.239/2 measuring an dry extent of Hec.2.53.5 Pillari Agraharam Taraff, Denkanikotti Taluk and Krishnagiri District in view of the petitioner complaint dated 10.05.2019 by appreciating the above facts and circumstances.

For Petitioner :M/s.V.Sakkarapani
For Respondents :Mr.M.Mohamed Riyaz (For R1 & R2)
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the second respondent to give police protection to the petitioner for recovery of his property in S.No.239/2 measuring 2.53.5

Hectares, Pillari Agraharam Taraff, Denkanikotti Taluk, Krishnagiri District.

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

3. It is seen from the petition that the petitioner has filed a suit in O.S.No.185 of 2009 for the relief of declaration, permanent injunction in respect of item No.1 of the properties and delivery of possession in respect of item No.2 of the properties on the file of the District Munsif Court-cum-Judicial Magistrate, Denkanikottai and got decree on 19.08.2016. Thereafter the petitioner has filed an Execution Petition in R.E.P.No.7 of 2019 on the file of the District Munsif Court, Denkanikottai for delivery of possession of item No.2 of the properties and the same is still pending. So the petitioner has to workout his remedy before the Execution Court. If the Execution Court has passed an order for delivery of possession and it is for the Court Ameen to deliver the possession of the property and at the time of effecting delivery of possession, if police protection is required, the petitioner can file a petition before the same Execution Court for providing police aid and instead of that he cannot file a petition before this Court

4. For the aforesaid reasons, this Criminal Original Petition is dismissed.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

सत्यमेव जयते

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To

1. The Superintendent of Police,
Krishnagiri District.

2. The Inspector of Police,
Rayakottai Police Station,
Rayakottai Taluk,
Krishnagiri District.

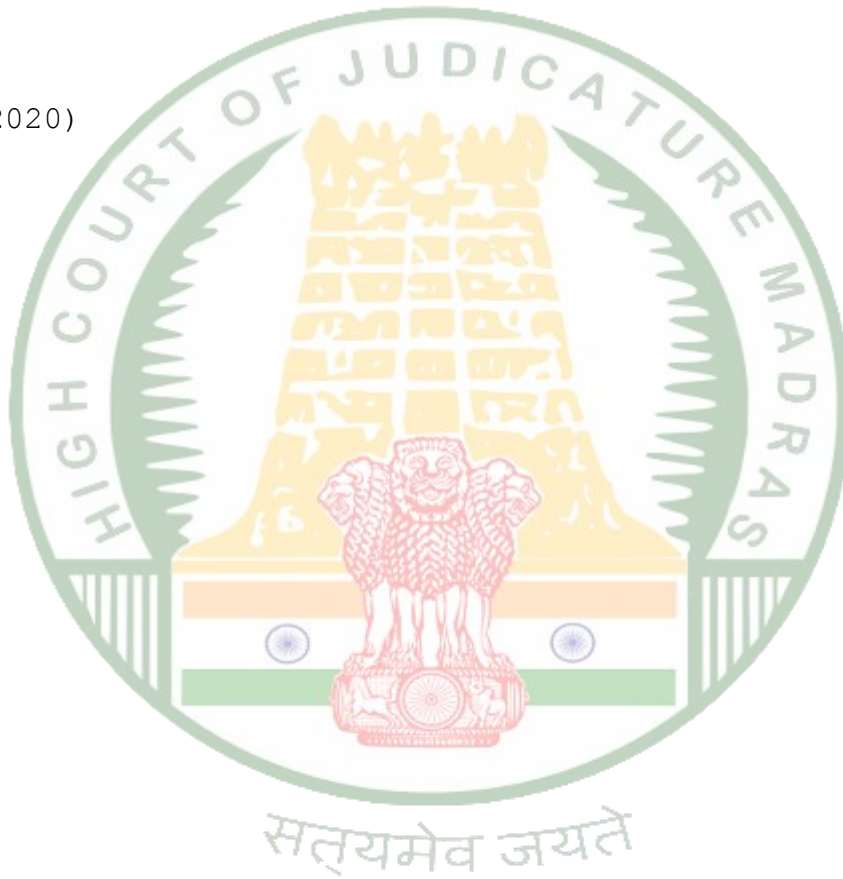
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3. The Public Prosecutor,
Madras High Court,
Chennai.

+1 CC to Mr.V. Sakkarapani, Advocate sr 2040.

CRL.O.P.No.188 of 2020

CP(CO)
SP(11/02/2020)



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