

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.02.2020

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.2927 of 2020

Krishnaveni

... Petitioner

Vs.

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

2. The Inspector of Police,
Nemili Police Station,
Ranipet.

3. Dhanasekaran

4. Paulraj.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police on the basis of the petitioner's representation dated 30.01.2020 to provide necessary police protection on 08.03.2020 for conducting Bhoomi Pooja to her property bearing in Survey No. 151/2 situated at Ganapathipuram Road, Neat Checkpost, Pallur Village, Nemili Taluk.

For Petitioner : Mr.C.Nirmal Krishnan

For Respondents : Mr.M.Mohamed Riyaz (for R1 & R2)
Additional Government Pleader

O R D E R

This petition has been filed to direct the respondents 1 and 2 to give police protection to the petitioner for conducting Bhoomi Pooja on 08.03.2020 in their property bearing in Survey No. 151/2 situated at Ganapathipuram Road, Neat Checkpost, Pallur Village, Nemili Taluk.

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

3. The learned counsel for the petitioner has submitted that the petitioner has purchased the aforesaid property as two vacant site under a registered sale deed dated 18.07.2016 from one Mr.K.Subramani and that, the petitioner and her family decided to construct a house in their property. She further submitted that the petitioner with a view to construct house in her property, she had visited the said property on 08.01.2020 and at that time, the respondents 3 and 4 prevented the petitioner from conducting the Bhoomi Pooja. Hence, the petitioner has submitted a representation before the second respondent on 30.01.2020 seeking police protection to the petitioner and her family for conducting Bhoomi Pooja on 08.03.2020 in the aforesaid property, so far, the respondents 1 and 2 have not taken any action on the said representation.

4. Per contra, the learned Additional Public Prosecutor appearing for the respondents 1 and 2 has submitted that admittedly there are disputes with regard to the two vacant sites in Survey No.151/2 situated at Ganapathipuram Road, Neat Check post, Pallur Village, Nemili Taluk, and therefore, the petitioner has to approach the Civil Court and get appropriate relief.

5. It is seen from the averments made in the petition that the petitioner herself has admitted that the respondents 3 and 4 are interfering with her peaceful possession enjoyment of the aforesaid property. As such she has to approach the Civil Court and file a Suit and get necessary injunction order. After getting any such order, if she finds any difficulty in enforcing the said order, she can file a petition under Section 151 of C.P.C before the same Court to direct the police to provide police protection. Instead of that, she cannot approach this Court for seeking police protection in the disputed facts.

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

Sd/-
Assistant Registrar(J)

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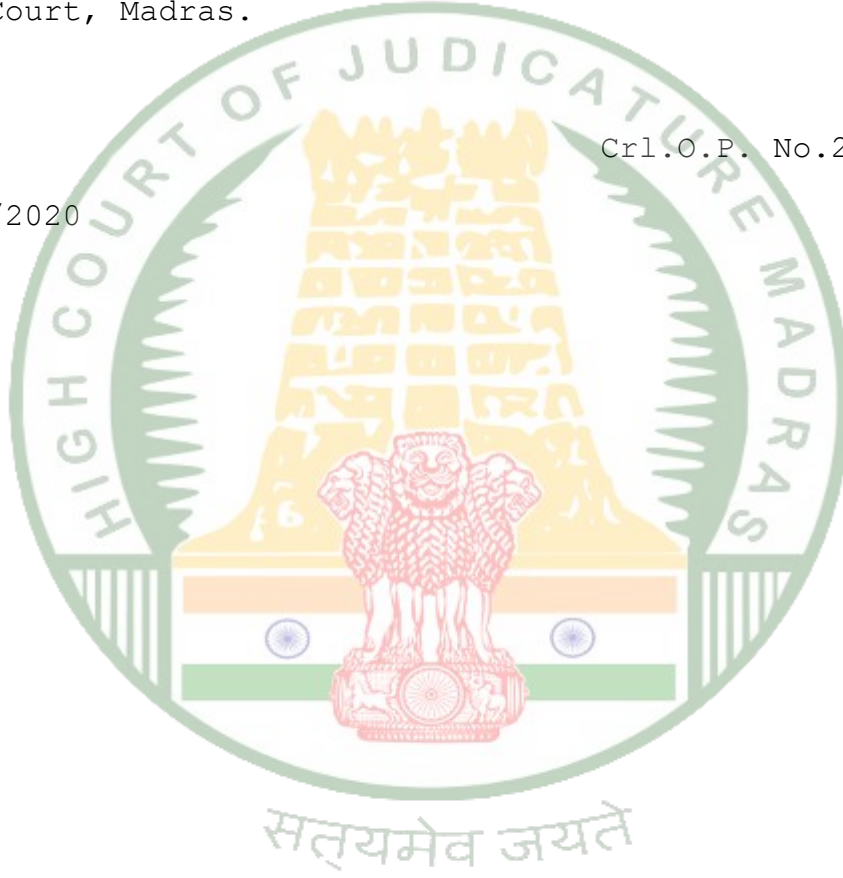
Sub Assistant Registrar

To

1. The Superintendent of Police,
Ranipet District, Ranipet.
2. The Inspector of Police,
Nemili Police Station,
Ranipet.
3. The Public Prosecutor,
High Court, Madras.

Crl.O.P. No.2927 of 2020

srg 11/03/2020



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