

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.9572 of 2020

M.Moorthy, M/59 yrs,  
S/o.Munnisamy,  
Kunjan Vattam, Chinnakamiyampattu,  
Jollarpettai, Tirupatture District. ....Petitioner

Vs.

The State represented by  
1.The Inspector of Police,  
Jolarpet Police Station,  
Tirupatture District.  
2.Kanikara Anbu  
3.Valli, W/o. Anbu  
4.Kalli S/o.Anbu  
5.Dhanasekar  
6.Satya W/o.Dhanasekar  
All residing in  
Kunjan Vatham,  
Chinnakamiyampattu,  
Jollarpet, Tirupatture District. ....Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the first respondent to grant police protection on the complaint dated 15.06.2020 given by the petitioner and to provide protection during the survey of the petitioner's land bearing survey number 69/6 measuring 31 cents in Chinnakamiyampattu Village, Tirupatture District.

For Petitioner : Mr.I.Periaswamy

For 1<sup>st</sup> Respondent: Mr.M.Mohamed Riyaz,  
Additional Public Prosecutor.

ORDER

This petition has been filed seeking for police protection to the petitioner while surveying his land bearing survey number 69/6 measuring 31 cents in Chinnakamiyampattu Village, Tirupatture District by considering the representation of the petitioner herein dated 15.06.2020.

2. The learned counsel for the petitioner would submit that the petitioner had purchased the above said land from R.Amudan and his five brothers vide Document No.4671/2019

dated 03/06/2019, in which, the petitioner was in possession and enjoyment of the property. Thereafter, the petitioner had applied for Patta before the concerned authority. While so, on 13.06.2020 the respondents 2 to 6 interfered and threatened the petitioner and therefore, the petitioner gave a complaint to the respondent police seeking for police protection. Since the same was not considered, this petition has been filed seeking for appropriate direction.

3. The learned Additional Public Prosecutor would submit that the respondent police cannot give police protection for cases of civil in nature.

4. Heard Mr.I.Periaswamy learned Counsel for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor for the respondent police.

5. The respondents 2 to 6 are continuously interfering with the possession and enjoyment of the petitioner. It is also possible for the petitioner to seek for police protection before the Court below, by filing an appropriate petition under Section 151 of Cr.P.C. The petitioner cannot maintain an independent petition before this Court seeking for police protection. The police cannot interfere in this case, unless, a specific direction is given by a competent Civil Court.

6. In view of the above, this Criminal Original Petition is disposed of, by giving liberty to the petitioner to workout his remedy before the Court below in the manner indicated herein above.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mpa

To

1.The Inspector of Police,  
Jolarpet Police Station,  
Tirupatture District.

2.The Public Prosecutor,  
High Court, Madras.

Cr1.O.P.No.9572 of 2020

VSN II(CO)  
CB(16/07/2020)