

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:31.08.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No. 13283 of 2020

1.N.Balaiyan

S/o.Natarajan

2.K.Saravanan

S/o.Late. Krishnamoorthy

... Petitioners

Vs

1.The Deputy Superintendent of Police,
Kottakuppam Police Station,
Tindivanam,
Villupuram District.

2.The Special Sub Inspector of Police,
Kiliyanur Police Station,
Villupuram District.

3.D.Gurumoorthy

Partner Manakular Motors

R.S.No.31/4, Olandai Keerapalayam,

Puducherry-605 004.

... Respondents

Prayer :- Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 2nd respondent to provide police protection to dismantle the temporary shed situated in petitioners land in S.No.50/4A, 50/5, 50/6, 7, 8 vacant plot & 50/6B Old S.No63 in the presence of 3rd respondent. On the basis of the complaint dated 16.06.2020.

For Petitioner : Mr.S.Venkatesh

For Respondents : Mr.S.Karthikeyan

Additional Public Prosecutor

O R D E R

This petition has been filed seeking for direction, directing the the 2nd respondent to provide police protection to dismantle the temporary shed situated in petitioners land in S.No.50/4A, 50/5, 50/6, 7, 8 vacant plot & 50/6B Old S.No63 in the presence of 3rd respondent, on the basis of the complaint dated 16.06.2020.

2. The learned counsel for the petitioner would submit that on the complaint lodged by the petitioner, the third respondent had given undertaking before the Deputy Superintendent of Police, Kottakuppam Police Station, Tindivanam, dated 06.11.2019, stating that the 3rd respondent will settle the rental arrears within a period of three months and complete dismantling of their shed structure within a period of six months and handover the vacant possession of the said premises to the petitioner herein. Even after completion of six months the 3rd respondent did not dismantle the shed put up by him. Hence, the petitioner sought for police protection to dismantle the temporary shed put up by the 3rd respondent herein.

3. The learned Additional Public Prosecutor submitted that on the complaint lodged by the petitioner, he was issued C.S.R.No.992/2019 and the same was closed in the year 2019 itself and there is no complaint pending on the file of the 2nd respondent herein.

4. It is seen that the entire dispute is Civil in nature between the petitioner and the 3rd respondent. Instead of approaching for appropriate relief before the Civil Court, the petitioner sought for direction before this Court for Police Protection, that too for the dismantling the temporary shed put up by the 3rd respondent herein.

5. Accordingly, this Criminal Original Petition is dismissed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Deputy Superintendent of Police,
Kottakuppam Police Station,
Tindivanam,
Villupuram District.

2.The Special Sub Inspector of Police,
Kiliyanur Police Station,
Villupuram District.

3.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No. 13283 of 2020

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