

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.14180 of 2020

Mageswari

... Petitioner

Vs.

1.State Rep by its
The Superintendent of Police
Tiruppur District, Tiruppur.

2.The Inspector of Police
Kangayam Police Station
Kangayam, Tiruppur District.

3.Raman

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying directing the respondents to give adequate police protection for one day for erecting the fencing in the Petitioner's Patta land situated in S.Nos.598/2 and 601/1B, Paranchervazhi Village, Kangayam Taluk, Tiruppur District.

For Petitioner : Mr.C.Prakasam

For Respondents: Mr.S.Karthikeyan
Additional Public Prosecutor for R1-2

O R D E R

The Criminal Original Petition has been filed to give adequate police protection for one day for erecting the fencing in the Petitioner's Patta land situated in S.Nos.598/2 and 601/1B, Paranchervazhi Village, Kangayam Taluk, Tiruppur District.

2.The learned counsel for the petitioner would submit that the petitioner is the absolute owner of the land comprised in Survey Nos.598/2 and 601/1B, Paranchervazhi Village, Kangayam Taluk, Tiruppur District. All the revenue documents are stands in the name of the petitioner. While being so, the cattle's of the 3rd respondent always destroyed the crops and as such the petitioner could not be able to farm his land properly. Therefore, the petitioner herein has decided to fence his

property. It was objected by the 3rd respondent and as such the petitioner filed a suit in O.S.No.96 of 2020 for interim injunction as against the 3rd respondent and it is pending on the file of the District Munsif Court, Kangayam.

3.The learned Additional Public Prosecutor would submit that on enquiry, the petitioner herein only trying to encroach the land belongs to neighbouring colony. Therefore, there is a civil dispute between the petitioner and the other counter parties. Now, the petitioner already approached the Civil Court and it is pending in O.S.No.96 of 2020. Therefore the petition for police protection to the petitioner's property cannot be entertained.

4.Considering the above submission, this Court is not inclined to entertain this petition. Accordingly, the Criminal Original Petition is dismissed. However, the petitioner is at liberty to file a petition before the Civil Court for appropriate relief.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Tiruppur District, Tiruppur.
- 2.The Inspector of Police,
Kangayam Police Station,
Kangayam, Tiruppur District.
- 3.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.14180 of 2020

ajs[col]
srg 04/11/2020