

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.08.2020

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.22535 of 2017

B.Balamurugan
S/o.Bakthavatchalam ... Petitioner
Vs.

1. The Inspector of Police,
Uthangarai Police Station,
Uthangarai Post and Taluk,
Krishnagiri District.
2. Rajalingam
S/o.Kariyan ... Respondents

Prayer : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the 1st respondent to give proper protection to the petitioner's life and his property (land in Survey Nos.98/2, 99/1, Patta No.176 situated at Uthangarai Revenue Taluk, Moongilери Village in S.No.98/2, 99/1 and the Old Patta No.176 (New No.325)).

For Petitioner : Mr.S.Saravana Kumar

For Respondents : Mr.C.Iyyappa Raj
Additional Public Prosecutor
for R1
Mr.V.Nicholas for R2

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O R D E R

This petition has been filed seeking police protection for the petitioner's property in S.Nos.98/2, 99/1, Patta No.176 situated at Uthangarai Revenue Taluk, Moongilери Village.

2.The learned counsel for the petitioner submitted that the petitioner had purchased the said property in the year 2013 and he has also obtained patta in his name. Thereafter, it was found that there was some wrong entries in the said patta and hence,

he approached this Court to cancel the patta other than his name. In the meanwhile, some rowdy elements, who were taking advantage of the above position have interfered with the peaceful possession and enjoyment of the petitioner in the said property and threatened him and hence, the petitioner seeking police protection.

3.The learned Additional Public Prosecutor, on instructions, submitted that the cause of action had taken place in the year 2017 and at that time the petitioner and rival parties were called for enquiry and it was found that the dispute is civil in nature, which ought to be resolved only through Civil Court. Hence, the petitioner and the rival parties were advised to approach the Civil Court to work out their remedies and C.S.R.No.125 of 2017 was closed on 23.03.2017. He further submitted that as on date, there is no necessity for any police protection. If the petitioner needs such protection, he has to approach the concerned police with a fresh petition as and when required.

4.At this juncture, the learned counsel for the petitioner submitted that he has already filed the Execution Petition before the concerned Court and the same was ordered in favour of the petitioner. The police shall aid the petitioner in executing the said order.

5.In view of the above submissions, this Criminal Original Petition is disposed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
Uthangarai Police Station,
Uthangarai Post and Taluk,
Krishnagiri District.
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.V.Nicholas, Advocate, SR 26799

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EV (CO)

RV (04/09/2020)