



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CRL.O.P (MD) No.4986 of 2020

Thangaraj

... Petitioner

Vs.

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

2. The Inspector of Police,
Ponnamaravathi Police Station,
Pudukottai District.

3. Kanagalingam

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the 2nd respondent to provide police protection for demolition of the petitioner's old house at Door No.22/9 Pon.Pudhupatti, Ponnamaravathi, Pudukottai District on the basis of the petitioner's representation dated 12.02.2020 within a stipulated time.

For Petitioner : Mr.P.Venkta Subramanian

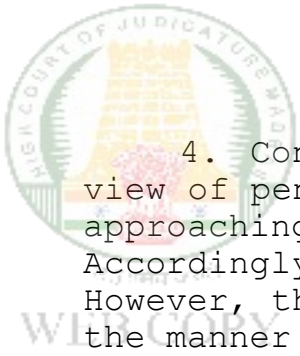
For Respondents : Mrs.S.Bharathi,
Government Advocate [Crl. Side]

O R D E R

This Criminal Original Petition is filed seeking for a direction to direct the 2nd respondent to provide police protection for demolition of the petitioner's old house at Door No.22/9 Pon.Pudhupatti, Ponnamaravathi, Pudukottai District on the basis of the petitioner's representation dated 12.02.2020 within a stipulated time.

2. The learned counsel for the petitioner would submit that the petitioner has some old properties and the properties are in a dilapidated condition and he wanted to demolish the property. However, the private respondent/ 3rd respondent herein, prevents the petitioner from demolishing the properties, for which the present criminal original petition has been filed.

3. The learned Government Advocate (Crl. side) states that the private respondent has already initiated a partition suit in O.S.No.332 of 2019 before the Sub Court, Pudukottai and the same is pending. However, the petitioner's remedy lies only before the civil court and not before this Court under 482 of Cr.P.C.



4. Considering the above facts and circumstances and also in view of pendency of similar issues before the competent civil court, approaching this Court under 482 of Cr.P.C is not maintainable. Accordingly, the Criminal Original Petition stands dismissed. However, the petitioner is granted liberty to work out his remedy in the manner known to law.

Sd/-

Assistant Registrar (CS-II)

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/ /2020

Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police,
Pudukottai District,
Pudukottai.
2. The Inspector of Police,
Ponnamaravathi Police Station,
Pudukottai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in

CRL.O.P (MD) No.4986 of 2020

Dated:

20.03.2020

AP(05/06/2020) 2P 4C