



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.06.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P (MD)No.5687 of 2020

S.Mariyappan

...Petitioner

Vs

1.The Superintendent of Police,
Karur District.

2.The Sub Inspector of Police,
Velliyanai Police Station,
Karur District.

3.Manikandan

4.Janaki

5.Saraswathi

6.Muthulakshmi

...Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondents 1 and 2 to provide adequate police protection to the petitioner and his family members residing at Door No.29/56 in S.F.No.2099 to an extent of 1 ½ cents of land situated at Velliyanai South Village, Karur Taluk, Karur District. Consequently, direct the respondents 1 and 2 to ensure that the respondents 3 to 6 are not violating the decree granted in favour of petitioner in O.S.No.154 of 2014 on the file of the Additional District Munsif Court, Karur District, on the basis of the online complaint dated 25.03.2020.

For Petitioner : Mr.S.Gokulraj

For R1 & R2 : Mr.A.Robinson

Government Advocate (CrI.side)

ORDER

The petitioner alleges commission of cognizable offence by the private respondents herein.

2.The petitioner's counsel would also point out that the petitioner is enjoying a decree in his favour. The decree was passed in O.S.No.154 of 2014 on the file of the Additional District and Munsif Court, Karur on 20.10.2014.



3.I am of the view that the question of granting relief in this petition does not arise. If the second respondent notices commission of any cognizable offence, the second respondent is bound to register an FIR and take action in accordance with law. It is also open to the petitioner to move the jurisdictional Court for punishing private respondents herein in violation of the decree passed in his favour. Since the petitioner has such alternative remedies available to him, no further directions need to be passed in this petition. Leaving open the petitioner's rights and remedies, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Superintendent of Police,
Karur District.

2.The Sub Inspector of Police,
Velliyanai Police Station,
Karur District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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KB(12.06.2020) 2P 4C