



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

W.P. [MD] .No.7819 of 2020

M.Krishnaramanan

... Petitioner

Vs.

1.The Director General of Police,
Director General Office,
No.1 Dr.Radha Krishnan Salai,
Mylapore, Chennai-4.

2.The Inspector General of Police South Zone,
No.1, New Natham Road,
Racecourse Colony,
Madurai-2.

3.The Superintendent of Police,
Surveyor Colony,
K.Pudur,
Madurai District,
Madurai.

4.Karunakaran,
The Sub Inspector of Police,
Nagamalai Pudukottai Police Station,
Nagamalai Pudukottai,
Madurai.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the fourth respondent not to interfere the civil dispute and to give adequate police protection to the petitioner by the respondents 1 to 3 and to ensure the same based upon the representation of the petitioner dated 13.06.2020.

For Petitioner : Mr.S.Sivaprakash

For R-1 to R-3 : Mr.S.Chandrasekar
Additional Public Prosecutor



O R D E R

This writ petition has been filed by the petitioner seeking a direction to direct the fourth respondent not to interfere in the civil dispute having by the petitioner with one Suresh and Nagaraj and to give adequate police protection to the petitioner.

2.The learned counsel for the petitioner would submit that the petitioner is the tenant under one Suresh and Nagaraj. Due to the dispute arose between the petitioner and the said Suresh and Nagaraj, the petitioner has filed a suit in O.S.No.42 of 2020 on the file of the District Munsif Court, Madurai, on 28.02.2020, for the relief not to evict the petitioner without due process of law. He would further submit that after filing the suit, the said Suresh and Nagaraj along with their henchmen, came to the house where the petitioner was residing and damaged the house-hold articles and made a life-threat to the petitioner to vacate the house. Though the petitioner lodged a complaint against the Suresh and Nagaraj, the fourth respondent police upon receiving the complaint from the said Suresh and Nagaraj, registered a case against the petitioner in Crime No.110 of 2020 under Section 294(b), 506(i) of I.P.C., and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act. In the said circumstances, now the fourth respondent, without any reason, threatening the petitioner to vacate the house and also interfering with the civil dispute having by the petitioner with the Suresh and Nagaraj. Hence, it is necessary to protect the petitioner's life and limb.

3.The learned Additional Public Prosecutor appearing for the respondents, on instructions, would submit that in earlier due to the overt-act committed by the petitioner, the above referred case has been registered against the petitioner and thereafter, the petitioner was arrested and released on bail. According to him, the respondents are not interfering with the civil dispute having by the petitioner with the Suresh and Nagaraj.

4.Upon considering the submissions made by either side, the specific contention of the petitioner is that even after filing the suit, the fourth respondent is voluntarily entered into the civil dispute and harassed the petitioner for the purpose of vacating the house owned by the Suresh and Nagaraj. However, after registration of the regular First Information Report, it is not necessary to give police protection to the accused. But it is the specific case of the petitioner that he has made allegation against the fourth respondent as only after registering the case under the guise of investigation, the fourth respondent harassed the petitioner for vacating the house premises.

5.Considering the facts and circumstances of the case, the prayer seeking the relief of not to interfere in the civil dispute having by the petitioner with the Suresh and Nagaraj is allowed and



otherwise, in respect to the police protection requested by the petitioner in this petition is dismissed.

6. Accordingly, this Writ Petition is partly allowed. No costs.

WEB COPY

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Director General of Police,
Director General Office,
No.1 Dr.Radha Krishnan Salai,
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Madurai-2.
3. The Superintendent of Police,
Surveyor Colony,
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Madurai-7.
4. The Additionl Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SPU(30.07.2020)3P 5C