



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD)No.12916 of 2020

K.Karuppiah

... Petitioner

Vs

1.The Superintendent of Police
Madurai District,
Madurai.

2.The Inspector of Police,
Keelavalavu Police Station,
Melur Taluk,
Madurai District.

3.K.Ramayee

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondents 1 & 2 to provide adequate police protection to the petitioner and his possession land in Survey No.196/5B2 for an extent of 68 cents situated at Ambalakaranpatti Village, Melur Taluk, Madurai District.

For Petitioner : Mr.R.Sevugaraja

For R1 & R2 : Mr.V.Neelakandan,
Additional Public Prosecutor(Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the respondents 1 & 2 to provide adequate police protection to the petitioner and his possession land in Survey No.196/5B2 for an extent of 68 cents situated at Ambalakaranpatti Village, Melur Taluk, Madurai District.

2. The learned counsel for the petitioner would submit that the petitioner is in possession and enjoyment of the property in Survey No.196/5B2 to an extent of 68 cents situated at Ambalakaranpatti Village, Melur Taluk, Madurai District for more than 50 years. While that being so, one Karuppiah used to disturb the petitioner. Hence, the father of the petitioner filed a Civil Suit in O.S.No.225/1989 before the learned District Munsif, Melur and got the judgment in his favour. Thereafter, the said Karuppiah filed an appeal against the above said decree and the same was ordered in his favour. Hence, the petitioner and the legal heir of his father filed second appeal in S.A.No.1240 of 1996, before this



Court and the judgment dated 20.12.2018 in the Second Appeal was passed in favour of the petitioner. In the meantime, the rival claimant Karuppiyah was passed away. The wife of the said Karuppiyah, who is the third respondent herein started to threaten the petitioner and his family members. Hence, the petitioner has given complaint against the third respondent before the second respondent. CSR No.364 of 2020 dated 15.10.2020 has also been assigned by the second respondent. The second respondent police also called the third respondent and warned her not to disturb the petitioner and his family members. Even then, the third respondent threatening the petitioner. Hence, the petitioner has given another complaint to the first respondent on 23.10.2020 for giving police protection. But, so far no action has been taken by the respondent police. Hence, the petitioner is before this Court.

3.The learned Additional Public Prosecutor appearing on behalf of the respondents 1 & 2, on instructions, would submit that complaints given by the petitioner have been received by the respondent police and based on which, CSR No.364 of 2020 has been assigned on 15.10.2020 and the enquiry is pending.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1to 3.

5.Considering the submission made on either side, the respondents 1 & 2 are directed to consider the representation of the petitioner, dated 23.10.2020, within a period of four weeks from the date of receipt of a copy of this order and give police protection to the petitioner, if necessary. If it is found that police protection is not necessary, the same shall be communicated to the petitioner so that he can work out his rights in the manner known to law.

6.With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vrn

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

<https://hcservices.ecourts.gov.in/hcservices/>



presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To: -

- 1.The Superintendent of Police
Madurai District,
Madurai.
- 2.The Inspector of Police,
Keelavalavu Police Station,
Melur Taluk,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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VB (01.12.2020) 3P 4C