



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD)No.15408 of 2020

WEB COPY

Ramalingam

... Petitioner

Vs

1.The Superintendent of Police
Madurai District, Madurai

2.The Deputy Superintendent of Police
Thirumangalam, Madurai District

3.The Inspector of Police
Town Police Station
Thirumangalam, Madurai District

4.Velmurugan

5.Peyammal

6.Selvi

7.Muthupandi

... Respondents

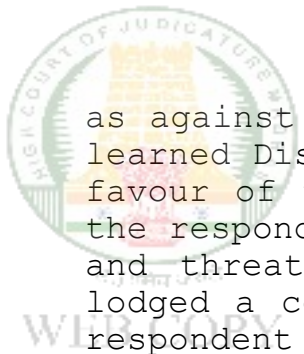
PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to issue an order of direction, directing the respondents 1 to 3 to give police protection for life and limb of the petitioner, family members and his property.

For Petitioner	: Mr.R.Mariappan
For R1 to R3	: Mr.V.Neelakandan, Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the respondents 1 to 3 to give police protection for life and limb of the petitioner, family members and his property.

2. The learned counsel for the petitioner would state that the property in Survey No.10/102A, New Survey No.10/25 east to west 77, south to north 17, total extend of 1308 sq.feet is situated at Kappalur Village, Tirumangalam Taluk, Madurai District is belonged to the petitioner's wife. One Mahalakshmi has executed the sale deed in favour of the petitioner's wife on 13.11.1989 through Document No.2141/89. Now, the petitioner and his wife have been in possession and enjoyment of the said property. In this circumstance, the respondent 4 to 6 encroached upon the petitioner's wife land and thereby, she filed a suit for declaration and permanent injunction



as against the respondents 4 and 5 in O.S.No.568 of 2010 before the learned District Munsif, Thirumangalam and the said suit is ended in favour of the petitioner's wife. Be that as it may, on 15.10.2020, the respondents 4 to 6 had interfered with the petitioner's property and threatened him with dire consequences. Hence, the petitioner lodged a complaint against the respondents 4 to 7 before the third respondent police on the same day itself. But, the third respondent police did not take any action against them. Thereafter, the petitioner once again sent a representation dated 24.10.2020 before the respondents 1 to 3 to take necessary action and to give adequate police protection for the life of the petitioner and his property, but, the same was not considered by the respondents/ police. Hence, the present petition.

3.The learned Additional Public Prosecutor appearing for the respondents 1 to 3, on instructions, would submit that there was a property dispute between the petitioner and the respondents 4 to 7. Based on which, the petitioner lodged a complaint dated 24.10.2020 and it is pending. He further submitted that the representation of the petitioner, dated 24.10.2020 will be considered by the respondents/police.

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

5.Admittedly, a civil suit has been filed by the petitioner in O.S.No.568 of 2010 against the respondents 4 and 5 before the District Munsif Court, Thirumangalam and the said suit ended in favour of the petitioner's wife. Thereafter, alleging that the respondents 4 and 5 interfered with the petitioner's property and threatened him with dire consequences. The petitioner has sent a representation to the respondents 1 to 3/Police. Considering the facts and circumstances of the case, the respondents/Police are directed to consider the representation of the petitioner dated 24.10.2020 by following the due process of law and give police protection, if necessary, within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa

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



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 Superintendent of Police
Madurai District, Madurai
- 2.The Deputy Superintendent of Police
Thirumangalam, Madurai District
- 3.The Inspector of Police
Town Police Station
Thirumangalam, Madurai District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**Crl.O.P(MD)No.15408 of 2020
22.12.2020**

MJ(CO)
TR(08.01.2021) 3P 5C