



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.03.2020

CORAM:

THE HONOURABLE **DR. JUSTICE G. JAYACHANDRAN**

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Crl.O.P.(MD).No.16463 of 2016

S.R.Dharmakrishnan

... Petitioner

Vs.

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

2.The Inspector of Police,
Rajapalayam North Police Station,
Rajapalayam,
Virudhunagar District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the second respondent police, on the basis of the representation dated 17.07.2015 given to the first respondent, to give police protection to the petitioner for irrigating water from the common well situate at behind in Door No.261 A, Madasamy Kovil Street, Rajapalayam, Virudhunagar District.

For Petitioner : Mr.M.Saravana Kumar

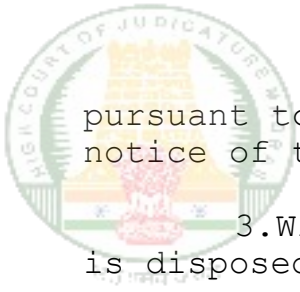
For Respondents : Mr.S.Chandra Sekar

Additional Public Prosecutor

O R D E R

This criminal original petition has been filed seeking under Section 482 of Cr.P.C, for police protection to the petitioner for irrigating water from the common well. Since the case remedy is preventing him from drawing water and irrigation his land, relying upon the interim order passed by the Sub Court, Srivilliputhur in O.S.No.144 of 2013, the petitioner seeks police protection in order to enjoying the fruits of the interim order of injunction.

2.On going through affidavit, this Court finds that there is a civil dispute pending between the petitioner and one K.R.Lalitha. The said civil suit has been filed by the writ petitioner against one K.R.Lalitha and others to restrain them interfering the petitioner enjoyment of irrigating water from the well located at Door No.261A, Madasamy Kovil Street, Rajapalayam, Virudhunagar District. The dispute is purely civil in nature and the civil Court has seized of the matter. The prayer in the petition to give Police protection is not warranted when the petitioner is protected by injunction granted by civil Court. Pursuant to the civil Court order, if there is any breach, the petitioner has right to approach civil Court and if there is any further disturbance to his right,



pursuant to the civil Court decree or order, shall be brought to the notice of the concerned civil Court for further action.

3. With the above observation, this criminal original petition is disposed of.

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsg

To

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

2. The Inspector of Police,
Rajapalayam North Police Station,
Rajapalayam,
Virudhunagar District.

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

+1 CC to M/s.M.SARAVANAKUMAR, Advocate (SR-10698[F]

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SMA/08/05/2020/2P/5C