



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.10.2020

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD)No.21182 of 2016

Malaiyarasapandian

... Petitioner/Aggrieved person

Vs

1.The Inspector of Police,
Seithur Police Station,
Rajapalayam,
Virudhunagar District.

2.Ponniahthevar

3.Ponraj

4.Petchimuthu

... Respondents/Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the first respondent to award adequate police protection to the petitioner and enabling the petitioner to go up with the compound wall in New Natham Survey No.363/134A, Ward No.1, Aratchiyar Street, Seithur Town Panchayat, Rajapalayam, Virudhunagar District in the light of the judgment and decree delivered by the learned Additional District Munsif Court, Sriviliputhur in O.S.No.208 of 2011 dated 03.08.2016 by considering the petitioner's representation dated 24.10.2016.

For Petitioner : Mr.R.Niresh Kumar

For R1 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

For R2 to R4 : Mr.Y.Prakash

ORDER

This petition has been filed for a direction directing the the first respondent to give adequate police protection to the petitioner for enabling him to go up with the compound wall.

2.The learned counsel appearing for the petitioner would submit that the petitioner filed a suit in O.S.No.208 of 2011 before the learned Additional District Munsif Court, Srivilliputhur sought for declaration and permanent injunction and the same was decreed in favour of him. Aggrieved by the same, the respondents 2 to 4 herein have preferred an appeal before the Sub Court, Srivilliputhur in A.S.No.60 f 2016 and the same was dismissed. Therefore, he sought



for police protection based on the complaint dated 24.10.2016.

3. The learned Government Advocate (Crl.Side) appearing for the first respondent would submit that on the complaint dated 24.10.2016, the 1st respondent, after issuance of notice to the respondents 2 to 4, conducted detailed enquiry. After completion of investigation, closed the same. Therefore, no complaint is pending on the file of the 1st respondent police to award police protection to the petitioner and the prayer sought for in this Criminal Original Petition has become infructuous.

4. Recording the submission made by the learned Government Advocate (Crl.Side), this Criminal Original Petition is dismissed as infructuous. However, the petitioner is at liberty to file a fresh complaint on fresh cause of action.

Sd/-

Assistant Registrar (P & A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

dss

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 Inspector of Police,
Seithur Police Station,
Rajapalayam,
Virudhunagar District.

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

Crl.O.P. (MD)No.21182 of 2016
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AC (CO)
KK(16.10.2020) 2P 3C