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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.4030 of 2018

K.Karuppusamy

...Petitioner

Vs.

1.State by

The Superintendent of Police,
Tiruppur.

2.The Deputy Superintendent of Police,

Office of the Deputy Superintendent of Police,
Dharapuram.

3.The Inspector of Police

Kundadam Police Station,
Kundadam,
Dharapuram Taluk.

4.Rajalakshmi

5.Palanathal

...Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to direct respondents 1 to 3 to provide police protection to the petitioner for doing agricultural activities in his lands at Munduvelampatti village as per injunction order dated 18.08.2017 in O.S.No.179 of 2011 on the file of Hon'ble District Munsif, Dharapuram.

For Petitioner : Mr.N.Ponraj

For Respondents : Mr.C.E.Pratap

Government Advocate (Crl.Side)

O R D E R

This petition has been filed seeking direction to the respondents 1 to 3 to provide police protection to the petitioner for doing agricultural activities in his lands at Munduvelampatti village.



2.The learned counsel appearing for the petitioner submitted that the petitioner filed O.S.No.179 of 2011 before the learned District Munsif, Dharapuram and has also obtained an order of injunction on 18.08.2017. However, he is not able to enter into the property. Hence, the petitioner has filed this petition.

3.The learned Government Advocate (Crl.Side) submitted that the petitioner has already obtained an order of injunction from the competent civil forum. Hence, if there is any violation of the said order, the petitioner has to approach the competent civil forum for appropriate remedy, without doing so, the petitioner has approached this Court by filing this petition seeking police protection, which is un-sustainable one.

4.The petitioner claims that he had filed O.S.No.179 of 2011 before the learned District Munsif, Dharapuram and has also obtained an order of injunction on 18.08.2017. Hence, if there is any violation of the said order, the petitioner has to approach the competent civil forum for appropriate remedy. Without doing so, the petitioner has filed this petition under Section 482 of Cr.P.C., which is not maintainable.

5.Hence, this criminal original petition is dismissed. However, liberty is granted to the petitioner to work out the remedy in the manner known to law.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The District Munsiff,
Dharapuram.
- 2.The Superintendent of Police,
Tiruppur.
- 3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Dharapuram.



4.The Inspector of Police
Kundadam Police Station,
Kundadam,
Dharapuram Taluk.

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5.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

Cr1.O.P.No.4030 of 2018

PCH[co]
NSK 19/07/2021