



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.6234 of 2018

Angamuthu

... Petitioner

Vs.

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

2. The Inspector of Police
E-3, Minjur Police Station
Thiruvallur District.

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. directing the second respondent to take appropriate action as per law and also provide police protection to the Tahsildar, Land Surveyor, Village Administrative Officer and the petitioner, to survey the property petitioner on the basis of the petitioners representation dated 14.12.2017 and CSR No.19 of 2018 dated 10.01.2018 issued by the second respondent and direct the first respondent to monitor and to investigate the matter.

For Petitioners	: Mr.S.Sugendran
For Respondents	: Mr.C.E.Pratap
	Government Advocate (Cr1. Side)

ORDER

This Criminal Original Petition has been filed seeking for police protection to survey the land owned by the petitioner.

2. Heard, the learned counsel for the petitioner and the learned Government Advocate (Cr1. side) appearing on behalf of the respondents.

3. The learned counsel for the petitioner submitted that the petitioner purchased the property in S.No.519/1A patta No.260, New Survey No.519/1A2 to an extent of 0.22 cents situated at Vallur-II Village from one Avvabi W/o.Sharputheen vide sale



deed dated 15.09.2017 in document No.6043 of 2017. The adjacent land owners viz., A.Baskar, A.Babu and A.Murali S/o.Arumugam had trespassed into the petitioner's property and blocked the passage of the property of the petitioner. Hence, the petitioner sent a representation to the Tahsildar, Land surveyor and Village Administrative Officer to survey the property. The officials, while entering the land to survey the same, the said A.Baskar, A.Babu and A.Murali prevented the officials and threatened them with dire consequences. Hence, the petitioner gave a representation to the second respondent dated 14.12.2017 to provide police protection. But the respondent police failed to do so. Hence, the petitioner has filed this petition before this Court.

4. The learned Government Advocate submitted that the petitioner has lodged a complaint to the second respondent and the respondent police has issued CSR No.19 of 2018 dated 10.01.2018. Further, the learned Government Advocate submitted that due to the land dispute, the petitioner has filed a suit in O.S.No.116 of 2018 before the Sub Court, Ponneri.

5. In view of the above, the relief sought for by the petitioner cannot be granted by this Court and the petitioner has to necessarily work out his remedy only before the competent Civil Court. It has been repeatedly held by this Court that police protection cannot be ordered in cases involving civil dispute and such disputes will have to be resolved only before a competent Civil Court.

6. In the result, this Criminal Original Petition is disposed of with the above directions.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

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



2. The Inspector of Police
E-3, Minjur Police Station
Thiruvallur District.

3. The Public Prosecutor
High Court of Madras
Chennai - 600 104.

+1CC to Mr.S.Sugendran, Advocate, Sr.No.37899

Cr1.O.P.No.6234 of 2018

PCH (CO)
K.RK. (13.10.2021)