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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.15043 OF 2021

1. Nalina Ammal
2. Kalyankumar

... Petitioners

Versus

1. The Superintendent of Police,
Villupuram District,
Villupuram.
2. The Inspector of Police,
Vikravandi Police Station,
Vikravandi,
Villupuram District.
3. Lakshmi Ammal
4. Senthilkumar
5. Vijayakumar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to grant police protection to the petitioners in respect of their property in Old S.No.187/4 and New S.No.313/8-200 sq.mtr (5 cents) at Mundiyaibakkam village, Vikravandi taluk, Villupuram district, pursuant to the civil court decree in A.S.307/1994 dated 17.4.1995 confirmed upto the Hon'ble Supreme Court of India in Special Leave to Appeal No.23245/2008 dated 23.3.2015, for peaceful enjoyment of the above said property including to put up borewell for drinking water and to put up fresh construction/superstructure therein.

For Petitioner : Mr.N.Suresh

For Respondent : Mr.A.Damodaran,
Govt. Advocate (Crl.side)



ORDER

(This case has been heard through Video Conference)

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The petitioner has filed this petition seeking grant of police protection to the petitioners in respect of their property at in Old S.No.187/4 and New S.No.313/8-200 sq.mtr (5 cents) at Mundiymbakkam village, Vikravandi taluk, Villupuram district.

2. The contention of the petitioner is that, the petitioner had filed a petition in Execution Application in E.A.No.20 of 2020 in O.S. No.230 of 1991 before the learned District Munsif cum Judicial Magistrate, Vikravandi. The said Court by order dated 9.3.2021 had passed the following order :-

'' 1. That this petition is hereby allowed
2. that hereby granting police aid to the petitioners
3. that the 2nd respondent/the inspector of Police, Vikravandi PS to give police aid to the petitioners to implement the order of injunction respect of Item Nos.1 and 5 cent in Item No.2 except the undivided share in well, Motor pumpset, switches etc., in the plaint schedule properties for constructing toilet and bathroom within a period of 15 days from the date of receipt of the copy of this order. No cost.''

3. The learned Government Advocate (Crl. Side) appearing for respondents 1 and 2 would submit that following Rathika Srihari Case, the petitioners would be provided with police protection, since it is armed with civil court order and it has reached its finality.

4. Recording the undertaking of the learned Government Advocate (Criminal side), this Court directs the 2nd respondent to grant police protection.

5. With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

rpp/gd



To

1. The Superintendent of Police,
Villupuram District, Villupuram.
2. The Inspector of Police,
Vikravandi Police Station,
Vikravandi, Villupuram District.
3. The Public Prosecutor,
High Court, Madras.

+4ccs to Mr.N.Suresh, Advocate, S.R.No.44011 and 44209

CRL.O.P.No.15043 of 2021

SS(C0)
RLP(22/09/2021)