



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :16.06.2021

CORAM

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

CrI.OP(MD)No.1240 of 2021

K.Padhmavathi

W/o.Kannaian

... Petitioner

Vs.

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

2.The Sub-Inspector of Police,
Viralimalai Police Station,
Pudukottai District.

3.Gopal
S/o.Chella Perumal

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the second respondent to provide adequate police protection to the petitioner's life and to his property Survey No.46/4C situated at Kasavanur Village, Kodumbalur, Viralimalai Taluk, Pudukottai District by considering his representation dated 17.01.2021.

For Petitioner : Mr.T.Lenin Kumar

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor
for R1 and R2

ORDER

This Criminal Original Petition has been filed to direct the second respondent to provide adequate police protection to the petitioner's life and to his property in Survey No.46/4C situated at Kasavanur Village, Kodumbalur, Viralimalai Taluk, Pudukottai District by considering his representation dated 17.01.2021.

2.According to the petitioner, the petitioner's husband has purchased the property measuring to an extent of 2180 sq.ft comprised in Survey No.46/4C situated at Kasavanur Village, Kodumbalur, Viralimalai Taluk, Pudukottai District from one Periasamy and his sons through a valid registered sale deed. Since the date of purchase onwards, the petitioner's husband was in absolute possession and enjoyment of the property. Thereafter, the petitioner's husband transferred the property in favour of the petitioner. In the mean time, one Selvam and six others filed a



suit in O.S.No.164 of 2005 against the petitioner's father's vendor periyasamy and 6 others and the same was dismissed. Aggrieved by the same, the plaintiff therein filed an appeal and the same is pending. The third respondent is none other than the husband of one Chinnaponnu, who is the second defendant in the said suit. On 17.01.2021, when the petitioner's employees tried to cut and move the Kattukaruveli trees, the 3rd respondent objected. The third respondent continuously harassed the petitioner and his family members. Hence, the present petition is filed for seeking police protection based on her representation dated 17.01.2021.

3. On the earlier occasion, the learned Additional Public Prosecutor submitted that based upon the representation given by the petitioner, enquiry was undertaken and the same was closed on 18.01.2021 and in that enquiry, it was found that it is a civil dispute and the parties were directed to approach the Civil Court.

4. It is seen from the report that the case is purely a civil dispute and an appeal has been filed in A.S.No.91 of 2019 on the file of the Principal District Court, Pudukottai and the same is pending.

5. Considering the facts and circumstances of this Case, this Court directs the petitioner to workout her remedy in the appeal in A.S.No.91 of 2019 on the file of the learned Principal District Court, Pudukottai.

7. With this direction, the Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

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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.

<https://hcservices.ecourts.gov.in/hcservices/>



To:

- 1.The Superintendent of Police,
Pudukottai District,
Pudukottai.
- 2.The Sub-Inspector of Police,
Viralimalai Police Station,
Pudukottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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KM(29.06.2021) 3P 4C