



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2021

CORAM :

WEB COPY

THE HONOURABLE **Mr. JUSTICE G.ILANGOVA**

Crl.O.P.(MD).No.4902 of 2021

K.Pandishwari

... Petitioner

Vs.

1. The Superintendent of Police,
Madurai District.

2. The Inspector of Police,
Cholavanthan Police Station,
Madurai District.

3. Palanisamy

4. I.A.Sekar

... Respondents

Prayer : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the first and second respondents to provide adequate police protection to the life and limb of the petitioner and her family members.

For Petitioner

: Mr.S.Sivakumar

For Respondents

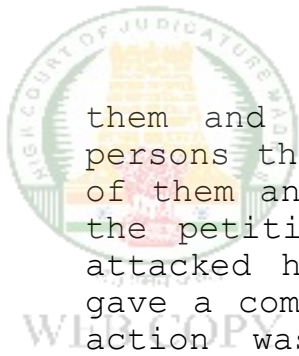
: Mr.K.Suyambuliga Bharathi,

Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed seeking a direction to the first and second respondents to provide adequate police protection to the life and limb of the petitioner and her family members.

2. The case of the petitioner is that she purchased a house site bearing Door No.13-1-18 admeasuring an extent of 446 ½ sq. feet comprised in Survey No.796/8 on 02.02.2012 from one Vijayalakshmi by means of registered sale deed. Right from the purchase, the petitioner is in possession and enjoyment of the property with absolute title. That being so, the accused persons one I.A.Sekar and Palanisamy trespassed into her house and threatened her with dire consequences as if the petitioner enters into their property, they will do away the petitioner. On 01.02.2021, when the petitioner went to the subject property to look after the house, the accused persons I.A.Sekar and Palanisamy along with others have restrained the petitioner from entering into the petitioner's property and threatened her and also uttered filthy language and that if the petitioner enters into her house, the accused persons will kill and bury her in the land itself and stated that nobody will question



them and also pushed out the petitioner. Moreover, the accused persons threatened the petitioner to execute a sale deed in favour of them and get the amount which was paid to the petitioner. Since the petitioner refused to execute the same, accused persons have attacked him with iron rod and wooden log. Hence, the petitioner gave a complaint before the 2nd respondent police, but, so far, no action was taken against the accused persons since they are influential persons. As the second respondent did not take any action against the accused persons, the petitioner has constrained to send a complaint dated 09.03.2021 to the first respondent by registered post and the same was acknowledged. But even after receipt of the complaint of the petitioner, the 2nd respondent has not taken any action against the accused persons. Hence, she filed this Criminal Original Petition.

3. The learned Government Advocate (CrI.Side) would submit that based upon the complaint given by the petitioner, enquiry was conducted.

4. Since it is admitted that the private respondents are in occupation of the disputed property, the question of granting police protection to the petitioner to visit the property will not arise. Hence, the petitioner is directed to work out her remedy before appropriate Civil Court.

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

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

kmm

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 Superintendent of Police,
Madurai District.

2. The Inspector of Police,
Cholavanthan Police Station, Madurai District.

CrI.O.P. (MD)No.4902 of 2021

29.04.2021

MGJ(11.08.2021) 2P 3C

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