



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.11.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVA**
Crl.O.P. (MD) No.9317 of 2019

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S.Selvaraj

.. Petitioner

Vs.

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

2.The Inspector of Police,
Veerapandi Police Station,
Theni District.

3.P.Chinnasamy

4.C.Avaranchiammal

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 1st and 2nd respondents to give adequate police protection for the petitioner's peaceful possession based upon the order passed by the learned District Munsif Court, Bodinayakanur in E.A.No.13 of 2017 dated 18.02.2019 in O.S.No.71 of 2007 and also based upon the petitioner's representation dated 17.05.2019.

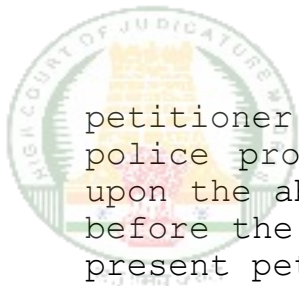
For Petitioners : Mr.R.Manickam

For R1 & R2 : Mr.E.Antony Sahaya Prabhakar
Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to the 1st and 2nd respondents to give adequate police protection for the petitioner's peaceful possession based upon the order passed by the learned District Munsif Court, Bodinayakanur in E.A.No.13 of 2017 dated 18.02.2019 in O.S.No.71 of 2007 and also based upon the petitioner's representation dated 17.05.2019.

2.The case of the petitioner is that the petitioner filed a suit in O.S.No.71 of 2007 before the learned District Munsif, Bodinayakanur against the private respondents herein for permanent injunction and that suit was decreed on 17.08.2009, by which title of the petitioner was also declared. Thereafter the private respondents filed a petition to set aside the exparte decree and that was dismissed by the concerned Court on 10.03.2015. Thereafter, there is no appeal. To execute the decree, the



petitioner filed E.P.No.4 of 2017 and also E.A.No.13 of 2017 seeking police protection and both the petitions have been ordered. Based upon the above said order, he made a representation dated 17.05.2019 before the respondent police. Since the same was not considered, the present petition came to be filed.

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3.After going through the entire records and after hearing, since the order has been passed by the competent civil Court granting police protection in E.A.No.13 of 2017, it the duty of the second respondent herein to comply the same. Let the second respondent comply the order passed by the competent civil Court in E.A.No.13 of 2017 and grant police protection to the petitioner. If any grievance is experienced at the hands of the private respondents in future, the petitioner has to workout his remedy through appropriate proceedings before appropriate Court. The second respondent may not consider the objections that may be raised by the private respondents.

4.With the above directions and liberty, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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,
Theni District, Theni.
- 2.The Inspector of Police,
Veerapandi Police Station, Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD)No.9317 of 2019

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RD(29.11.2021) 2P 4C