



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.06.2021

CORAM

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THE HONOURABLE **MR.JUSTICE G.CHANDRASEKHARAN**

CrI.O.P. (MD)No.7589 of 2021

A.Rahmathullah

... Petitioner

Vs.

1.The State Rep.by,
The Inspector of Police,
Kallal Police Station,
Sivagangai District.

2.Sheik Abdulla

3.Subaitha

4.Abdul Rahman

... Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents herein to grant adequate protection to the petitioner and his family members, life, liberty and for lands in S.No.72/2, with sub division No.72/2 E situated in Vetriyur Village & Group, Karaikudi Taluk, Sivagangai District, within the time stipulated by this Court.

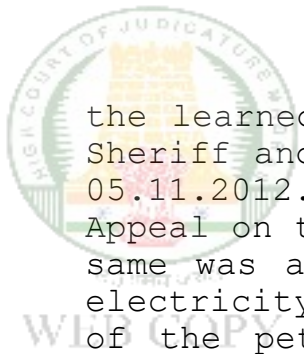
For Petitioner : Mr.Kannan.AL.

For R1 : Mr.R.M.Anbunithi,
Additional Public Prosecutor.

ORDER

This criminal original petition has been filed to direct the respondents herein to grant adequate protection to the petitioner and his family members, life, liberty and for lands in S.No.72/2, with sub division No.72/2 E situated in Vetriyur Village & Group, Karaikudi Taluk, Sivagangai District, within the time stipulated by this Court.

2.The case of the petitioner is that he purchased property in survey No.72/2, sub division No.72/2 E situated in Vetriyur Village & Group, Karaikudi Taluk, Sivagangai District from one Mohammed Sheriff on 25.10.2010. The son of the said Mohammed Sheriff, one Mohammed Abdullah, filed a suit in O.S.No.20 of 2011 on the file of



the learned Subordinate Judge, Devakottai against the said Mohammed Sheriff and others seeking partition. The said suit was decreed on 05.11.2012. Aggrieved over the same, the petitioner filed First Appeal on the file of the learned District Judge, Sivagangai and the same was allowed on 07.04.2014. As on date, the revenue records, electricity connection and property tax receipts stand in the name of the petitioner and he is in possession and enjoyment of the property. The respondents 2 to 4 are unnecessarily disturbing his possession and enjoyment. Therefore, he gave a representation dated 20.04.2021 to the first respondent requesting him to provide adequate police protection since he is the absolute owner of the said property.

3.The learned counsel appearing for the petitioner submitted that the petitioner is the owner of the above said property by virtue of the registered sale deed dated 25.10.2010 and he got judgment and decree in his favour in A.S.No.5 of 2013. The revenue records, electricity connection and property tax receipts stand in the name of the petitioner and he is in possession and enjoyment of the property. However, the respondents 2 to 4 are attempting to interfere in his possession and enjoyment of the property. In this regard, the fourth respondent filed a suit claiming right in the property and the same was rejected by the Court below. Therefore, the petitioner seeks protection to the petitioner and his family members, life, liberty and for lands.

4.Having considered the submission made by the petitioner and also the fact that the petitioner has sent a representation dated 20.04.2021 to the first respondent alleging among other things, the threat alleged to have been made to the petitioner by the respondents 2 to 4, the first respondent is directed to take appropriate action on the basis of this complaint dated 20.04.2021 and if necessary, he may provide police protection to the petitioner. Accordingly, this criminal original petition is ordered.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gns

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

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



1.The Inspector of Police,
Kallal Police Station,
Sivagangai District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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