



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P (MD)No.8888 of 2021

Sam Thomas

... Petitioner

Vs

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

2.The Inspector of Police,
Chenkottai Police Station,
Tenkasi District.

3. The Tahsildhar,
Office of Tahsildhar,
Chenkottai Taluk,
Tenkasi District.

4.Irulappa Thevar

5.Velusamy

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the fourth respondent to consider the petitioner's representation dated 05.10.2020 and consequently direct the fourth respondent to give necessary police protection to the Taluk or firka surveyor likely to be deputed by the third respondent to measure the petitioner's property consisting an area of 1 acre 67.5 cents land equivalent to 7778.428 sq.metres land of which 51.35 ares land is comprised in Survey No.332/2 of Periyapillaivalasai Village and 16.43 ares land is comprised in Survey No.334/1A1A of Periyapillaivalasai Village, Chenkottai Taluk, Tenkasi District fix the boundaries in the eastern and western sides, thereby laying boundary stones .

For Petitioner : Mrs.L.Victoria Gowri

For R1 to R3 : Mr.M.Veeranthiran

Government Advocate

For R4 & R5 : Mr.N.Shyllappa Kalyan

ORDER

This Criminal Original Petition has been filed for directing the fourth respondent to give police protection for surveying the petition mentioned land.



2. There is a dispute pending between the petitioner on the one hand and one Suseela Devi. The said Suseela Devi is said to have given a criminal case against the petitioner leading to registration of Crime No.136 of 2021 on the file of the Shenkottai Police Station. The petitioner is figuring as the first accused in the said case.

3. The learned counsel for the petitioner would of-course state that the petitioner has already filed a petition for quashing the said FIR.

4. I am not for a moment concerned with the merits of the criminal case registered against the petitioner. The only question that arises for consideration is whether the relief sought for in this petition can be granted. The police protection can be granted if the petitioner is having any enforceable decree of the civil Court. The petitioner has not enclosed any such order in the typed set of papers. Therefore, in exercise of jurisdiction under Section 482 of Cr.P.C., no protection can be granted as sought for. The rights of the respective parties are left open. This Criminal Original Petition stands dismissed.

Sd/-

Assistant Registrar (W)

// 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.

To

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

2.The Inspector of Police,
Chenkottai Police Station,
Tenkasi District.

3. The Tahsildhar,
Office of Tahsildhar,
Chenkottai Taluk,
Tenkasi District.

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



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

+1 CC to M/s.L. VICTORIA GOWRI, Advocate (SR-34817[F] dated
17/11/2021)

CrI.O.P (MD)No.8888 of 2021
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RD(02.12.2021) 3P 6C