



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2021

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.9565 of 2021

Kaliyammal

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Ram Nagar, Devakottai,
Sivagangai District.

3.The Inspector of Police,
Taluk Police Station,
Ram Nagar,
Devakottai,
Sivagangai District.

4.Rajasekaran

5.Pukalenthil ... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the third respondent to provide adequate police protection to the petitioner and her family members life to put up asbestos sheet on the basis of the representation given by the petitioner on 05.07.2021.

For Petitioner : Mr.S.Muthukumar

For R1 to R3 : Mr.R.M.Anbunithi

Additional Public Prosecutor

O R D E R

This petition has been filed seeking a direction to the third respondent to provide adequate police protection to the petitioner and her family members life at the time of putting up asbestos sheet on the basis of the representation given by the petitioner on 05.07.2021.

2. The case of the petitioner is that the petitioner is residing along with his family in a house situated in Survey No.65/2 at Uthaiyatchi Village, Devakottai Taluk, Sivagangai District. The respondents 4 and 5 are claiming that they are having 10 feet lane adjacent to the house property and gave a unnecessary trouble and so the husband of the petitioner filed a suit in O.S.NO.62 of 2009 on the file of the District Munsif Court,



Devakottai and the same was decreed in favour of the husband of the petitioner, against which an appeal has been preferred by the respondents 4 and 5. It is seen that the appeal is now pending. The petitioner decided to put up asbestos sheet roof to her house, which was objected by the private respondents. On that basis, she seeks police protection for the purpose of putting up asbestos sheet for her house.

3. Heard both sides.

4. It is seen that in respect of house property and adjacent lane, a suit has been filed and that has been decreed in favour of the husband of the petitioner and an appeal has been filed by the private respondents and the appeal is stated to be pending on the file of the Sub Court, Devakottai. Even though the grievance of the petitioner appears to be genuine, police protection cannot be granted for such nature. The petitioner has to get proper permission from the appellate court before which the appeal is pending.

5. With this observation, this petition is disposed by giving liberty to the petitioner to approach the concerned court for appropriate remedy.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM

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,
Sivagangai,
Sivagangai District.

2.The Deputy Superintendent of Police,
Ram Nagar, Devakottai,
Sivagangai District.



3.The Inspector of Police,
Taluk Police Station,
Ram Nagar,
Devakottai,
Sivagangai District.

WEB COPY

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

+1 CC to M/s.S. MUTHUKUMAR, Advocate (SR-23257[F] dated
20/07/2021)

Crl.O.P. (MD)No.9565 of 2021

19.07.2021

MGJ(26.07.2021) 3P 6C