



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVAN**

Crl.O.P.(MD)No.10567 of 2021

WEB COPY

Nagarajan
Rep through his power agent of
Thulasiran

... Petitioner

Vs.

1.The Superintendant of Police,
Virdhunagar,
Virudhunagar District.

2.The Deputy Superintendant of Police,
Srivilliputhur,
Virudhunagar District.

3.The Sub Inspector of police,
Watrab Police Station,
Watrab,
Srivilliputhur.

4.S.Veera Lakshmi

...Respondents

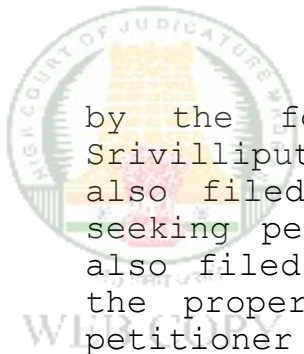
Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, directing the third respondent to give adequate police protection for fencing the petitioner's land, bearing Patta No.2224 in Survey Nos.1011/1B, 1012, 1013/2 and 1014/1 situated at Pudhupatti Village, Watrap Taluk, Virudhunagar District, based on the petitioner's representation dated 23.07.2021 and consider the same within the stipulated time.

For Petitioner	: Mr.M.Murugan
For R1 to R3	: Mr.R.M.Anbunithi, Additional Public Prosecutor

ORDER

This petition is filed to direct the third respondent to give adequate police protection for fencing the petitioner's land, bearing Patta No.2224 in Survey Nos.1011/1B, 1012, 1013/2 and 1014/1 situated at Pudhupatti Village, Watrap Taluk, Virudhunagar District, based on the petitioner's representation dated 23.07.2021

2.The petitioner is the owner of the above mentioned property. When he tried to fence the property, the fourth respondent and her husband made trouble stating that there is 3 sq.ft footpath in the property, in respect of which, O.S.No.331 of 2012 was filed



by the fourth respondent, before the District Munsif Court, Srivilliputhur and it is pending. In the meanwhile, the petitioner also filed a suit in O.S.No.385 of 2012 before the same Court, seeking permanent injunction and the suit was partly decreed. He also filed W.P.(MD) No.8199 of 2021 seeking permission to measure the property and the same was allowed on 20.04.2021. When the petitioner attempted to fence his property, the fourth respondent is making trouble. Hence, this petition.

3.The learned Additional Public Prosecutor would submit that even though the suit filed by this petitioner for permanent injunction has been granted, in respect of the property, insofar as the second prayer for fencing the property is concerned, it has been rejected. Hence, the petitioner seeks police protection for fencing his property.

4.The learned counsel for the petitioner would submit that he is going to put up fencing inside his property.

5.For such remedy, the petitioner has to approach the appropriate Civil Forum. Police protection in such cases cannot be granted as a matter of right. More particularly, when his suit was dismissed with regard to fencing the property. I find no merit in this petition and accordingly, this Criminal Original Petition is dismissed with the above said liberty.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

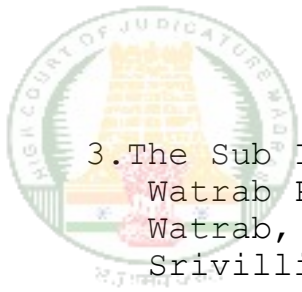
Note In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Superintendant of Police,
Virudhunagar,
Virudhunagar District.

2.The Deputy Superintendant of Police,
Srivilliputhur,
Virudhunagar District.

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



3.The Sub Inspector of police,
Watrab Police Station,
Watrab,
Srivilliputhur.

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

CrI.O.P. (MD) No.10567 of 2021
04.08.2021

SSS (CO)
KB(11.08.2021) 3P 5C