



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 08.11.2021**

**CORAM:**

**THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN**

**Cr1 OP(MD)No.12652 of 2021**

WEB COPY

R.Sankar

... Petitioner

vs.

1.The Superintendent of Police,  
O/o.the Superintendent of Police,  
Virudhunagar District,  
Virudhunagar.

2.The Inspector of Police,  
Rajapalayam Town Police Station,  
Rajapalayam, Virudhunagar District.

3.Gurusamy

... Respondents

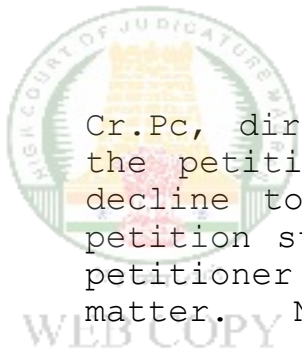
**PRAYER** : Criminal Original Petition filed under Section 482 of Cr.Pc, to direct the respondents 1 and 2 to provide adequate police protection to the petitioner in order to measure the land in S.No.245/1 at Samanthapuram in Rajapalayam belongs to the petitioner as well as life and limb of the petitioner.

For Petitioner : Mr.S.A.S.Alaudeen  
For Respondents : Mr.T.Senthilkumar,  
1 & 2 Additional Public Prosecutor  
For Respondent 3 : Mr.M.Kannan

**ORDER**

Heard the learned counsel on either side. The petitioner wants this Court to direct the revenue authorities to provide him adequate police protection so that he can survey the petition mentioned land. According to the petitioner, the petition mentioned property absolutely belongs to him.

2.Such a relief cannot be granted under Section 482 of Cr.Pc. If the petitioner's efforts to survey the petition mentioned land is thwarted by a third party, the remedy is to file an injunction suit. This Court cannot go into the rival claims regarding title while exercising its power under Section 482 of Cr.Pc. If the petitioner is having an enforceable decree from the civil court or any other judicial forum, then certainly, under Article 226 of the Constitution of India or under Section 482 of



Cr.Pc, direction for police protection can be given. Admittedly, the petitioner is not having any enforceable decree. Hence, I decline to grant the relief sought for. This criminal original petition stands dismissed. I make it clear that the rights of the petitioner are left open. I have not gone into the merits of the matter. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

skm

To

- 1.The Superintendent of Police,  
O/o.the Superintendent of Police,  
Virudhunagar District,  
Virudhunagar.
- 2.The Inspector of Police,  
Rajapalayam Town Police Station,  
Rajapalayam, Virudhunagar District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.M.KANNAN, Advocate ( SR-33813[F] dated 09/11/2021 )

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**08.11.2021**

RK/SKN(18/11/2021) 2P 5C