



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.09.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

CrI.O.P. (MD) No.14017 of 2021

M.Angappan

... Petitioner

Vs.

1.The Superintendent of Police,
Madurai District Office,
Madurai District.

2.The Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.

3.C.Jeyaraman

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 2nd respondent to provide adequate police protection to the life and limb of the petitioner and his wife and to his land comprised in survey number 29/2C, 2D, 2E situated at Nakkalapatty Village, Usilampatti Taluk, Madurai District, on the basis of the petitioner's representation dated 04.09.2021.

For Petitioner	: Mr.C.Kathiravan
For R1 & R2	: Mr.K.Sanjai Gandhi
	Government Advocate (CrI.Side)

ORDER

This petition is filed seeking direction to the 2nd respondent to provide police protection, on the basis of the representation dated 04.09.2021.

2.The learned counsel appearing for the petitioner would submit that the petitioner is the owner of the property comprised in S.Nos.29/2C, 2D and 2E to an extent of 6 acres and 10 cents, situated at Nakkalapatty Village, Usilampatti Taluk, Madurai District and the private respondent herein is the neighbor. He made trouble and also filed O.S.No.68 of 2012 for declaration. Similarly, the petitioner filed O.S.No.90 of 2012 for permanent injunction before the District Munsif Court, Usilampatti. Both the suits are now pending.

3.When the petitioner tried to fence the property, trouble arose and he was attempted to be assaulted by the 3rd respondent. On that basis, the petitioner gave a representation and in spite of that, no action has been taken so far.

4.The learned Government Advocate (CrI.side) appearing for the
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respondents 1 and 2 would submit that based upon the complaint given by this petitioner, enquiry was undertaken in C.P.No.635 of 2021 and because of the non cooperation of the petitioner, it is kept pending.

5.Since the suits are pending between the parties before the concerned Court, the petitioner has to workout his remedy before that Court through appropriate proceedings. Since title dispute is involved, grant of police protection to one of the parties may not be proper. Depending upon the order of the civil Court, the petitioner can approach the 2nd respondent for appropriate protection. Till then, no protection can be granted. It is also seen that because of the non cooperation of the petitioner, representation is kept pending. So, the representation may be closed with a direction to the petitioner to workout his remedy in the pending suits.

6.With the aforesaid liberty and direction, this petition stands disposed of.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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,
Madurai District Office,
Madurai District.
- 2.The Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.C.KATHIRAVAN, Advocate (SR-29908[F] dated 22/09/2021)

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21.09.2021

RS (28.09.2021) 2P 5C

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