



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.09.2021**

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CORAM:

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

Crl.O.P. (MD) No.14165 of 2021

Joseph Immanuvel

...Petitioner/Defacto Complainant

Vs.

1. The Inspector of Police,
Pazhugal Police Station,
Kanyakumari District.
(CSR.No.244/2021)
2. The Deputy Superintendent of Police,
Thukalay Sub Division,
Thukalay
Kanyakumari District.
3. The Superintendent of Police,
Office at Nagercoil,
Kanyakumari District
4. Jeyaprasath
5. KarthickManokaran
6. College Watchman,
All Saints College of Education,
Methukummal,
Kanyakumari District.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, directing the respondents 1 & 2 to provide police protection to the petitioner to enter into the College, namely, All Saints College of Education in Kaliakkavilai, Malayadi Post, Kanyakumari District.

For Petitioner : Mr.K.P.Krishnadoss

For R1 to R3 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)



ORDER

This petition is filed seeking police protection, on the basis of the representation dated 02.08.2021.

2.The case of the petitioner is that he is the Founder Chairman of S.R.Memorial Trust and the Chairman of All Saints College of Education, Kaliakkavilai, Malayadi Post, Kanyakumari District. He was appointed as Principal by the Trust on 12.12.2019 and his appointment was also approved by the Tamil Nadu Teachers Education University by the Correspondent on 22.07.2021. When he went to the college for taking charge, the private respondents herein prevented him, based upon which, he has given a representation seeking police protection, which was also registered in CSR.No.244 of 2021. Since there is no action, this petition came to be filed.

3.The learned Government Advocate (Crl.side) appearing for the respondents 1 to 3 would submit that based upon the representation made by this petitioner, enquiry was undertaken in CSR.No.244 of 2021 and during the course of enquiry, the petitioner did not appear, based upon which, it was closed on 14.08.2021.

4.The learned counsel appearing for the petitioner would submit that the petitioner is ready to appear before the Enquiry Officer and cooperate with him for completing the enquiry. He would further submit that the 2nd respondent herein may be directed to enquire the matter.

5.I find absolutely no merits in this statement. Perusal of observation made by the Sub Inspector of Police, Pazhugal Police Station, Kanyakumari District shows that it is a dispute between the husband and wife and according to the police, the administration of the aforesaid College is run by the wife of the petitioner herein, namely, Meera Varghese.

6.Even though the suit in O.S.No.131 of 2019, which was filed by the wife of the petitioner, namely, Meera Varghese, has been dismissed for default on 15.03.2021, it appears that it is a dispute with regard to the trusteeship of the trust.

7.In view of the civil dispute between the husband and wife, granting of police protection may not arise. The parties have to workout their remedy through appropriate proceedings before the appropriate forum.



8. With the aforesaid liberty, this petition is disposed of.

Sd/-

Assistant Registrar (AD-II)

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// 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 Inspector of Police,
Pazhugal Police Station,
Kanyakumari District.
2. The Deputy Superintendent of Police,
Thukalay Sub Division,
Thukalay, Kanyakumari District.
3. The Superintendent of Police,
Office at Nagercoil,
Kanyakumari District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.P.KRISHNADOSS, Advocate (SR-30067[F] dated 23/09/2021)

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