



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2021

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

CrI.O.P. (MD) No.14665 of 2021

Mohameed Ali Jinnah

... Petitioner

Vs.

1.The Superintendent of Police,
Sivagangai District.

2.The Inspector of Police,
Kallal Police Station,
Sivagangai District.

3.Alima

4.Mohameed Ajis

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondent Nos.1 and 2 herein to provide protection to the petitioner and his property comprised in Sur.No.397/5 and 397/23 situated at Aranmanai Siruvayal, Keelapoongudi, Karaikudi Taluk, Sivagangai District from the hands of the respondent Nos.3 and 4 on the basis of the complaint dated 20.09.2021.

For Petitioner : Mr.D.Pandiyarajan

For R1 & R2 : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

This petition is filed seeking direction to the respondents 1 and 2 to provide police protection, on the basis of the complaint given by this petitioner dated 20.09.2021.

2.The petitioner gave a complaint to the 2nd respondent stating that he is the owner of the property, which is under dispute through a settlement deed executed by his mother. The 3rd respondent is the wife of the brother of the petitioner and according to the petitioner, the 3rd respondent, after her husband death, sought permission from the petitioner to occupy the house



for some time. That was permitted and later, she refused to vacate the same, based upon which, the aforesaid complaint has been made.

3. Based upon the complaint given by this petitioner, enquiry was undertaken in CSR.No.363/SPS/2020 and during the course of enquiry, it was found that it is purely a civil dispute between the parties. The 3rd respondent also claimed right over the same. Based upon that, it was closed on 09.09.2021.

4. In such circumstances, permission to provide police protection may not arise. The petitioner has to work out his remedy appropriately through proper civil proceedings. I find no merit in this petition. It deserves to be dismissed and accordingly, it is dismissed.

Sd/-

Assistant Registrar (W)

// 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 Superintendent of Police,
Sivagangai District.
2. The Inspector of Police,
Kallal Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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