



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2021

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.14996 of 2021

Singaram @ Singaravel

... Petitioner

Vs.

1.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2.The Inspector of Police,
Vallathirakottai Police Station,
Pudukkottai District.

3.Muthuramalingam

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents 1 and 2, to provide adequate protection for the petitioner and for his family as against the third respondent while carry out construction process in the properties bearing S.No.14/64 to an extent of 46 Cents in Kanniyappatti Village, Alangudi Taluk, Pudukkottai District.

For Petitioner

: Mr.A.Mohan

For Respondents

: Mr.RMS.Sethuraman

Additional Public Prosecutor

ORDER

This petition is filed seeking direction to the second respondent to provide police protection on the basis of the representation dated 11.09.2021.

2.The case of the petitioner is that the petitioner inherited the property in S.No. 14/64, Kanniyapatti Village, Alangudi Taluk, Pudukkottai on 10.12.2010 from one Chellammal, who is the sister of Muthammal. Chellammal and Muthammal are sisters. The third respondent herein has filed suit in O.S.No.173 of 2014, seeking permanent injunction and exparte decree was passed on 23.02.2015. Subsequently, the same was restored and transferred to the District Munsif cum Judicial Magistrate, Alangudi as O.S.No.450 of 2018 and after full trial, that came to be dismissed. Even in the judgment, it is stated that the third respondent has no right over the property. When the petitioner attempted to put up constructions, the third respondent is troubling the petitioner. Hence, he made representation.



3.The learned Additional Public Prosecutor would submit that it is civil dispute between the parties. The representation sent by the petitioner is kept pending. Summons will have to be issued to the parties.

4.Since the issue involved in this case is civil dispute, there shall be a direction to the second respondent to issue summons to the petitioner as well as the third respondent and conduct enquiry and depending upon the outcome of the enquiry, further steps may be taken. Such exercise shall be completed within a period of one month from the date of receipt of a copy of this order.

5.With the above said direction, this Criminal Original Petition is disposed of.

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 Superintendent of Police,
Pudukkottai District,
Pudukkottai.
- 2.The Inspector of Police,
Vallathirakottai Police Station,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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