



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.10.2021

CORAM :

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

Crl.O.P.(MD)No.15476 of 2021

Boby P.K.Varghese Mathews

... Petitioner

vs.

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

2.The Inspector of Police,
Surandai Police Station,
Surandai, Tenkasi.

3.Vaithiyalingam

4.Maragatham

5.Chellasamy

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the first respondent to direct the second respondent to give adequate police protection for his peaceful possession and enjoyment of his property in Survey No.85/4A, an extent of 62 Cents and Survey No.85/4B, an extent of 10 Cents situated in V.K.Puram, V.K.Puram Taluk, Tenkasi District, by considering the petitioner's complaint dated 01.10.2021, with the period stipulated by this Court.

For Petitioner

: Mr.A.Haja Mohideen

For R1 and R2

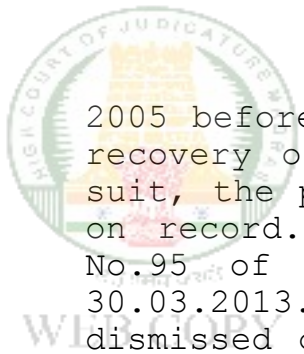
: Mr.RMS.Sethuraman

Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to the official respondents to provide police protection on the basis of the representation dated 01.10.2021, in respect of the property situated in 85/4A and 85/4B at V.K.Puram, Tenkasi District.

2.The case of the petitioner is that originally the property above mentioned was purchased by the petitioner's late father, namely, Korth on 24.04.2000 and ever since, they have been in possession of the property. One Kallasamy filed O.S.No. 644 of



2005 before the Principal Munsif Court, Tenkasi for declaration and recovery of possession and during the pendency of the above said suit, the petitioner's father died and his legal heirs were brought on record. Thereafter, the suit was dismissed, against which, AS No.95 of 2011 was filed and the same was also dismissed on 30.03.2013. Second Appeal filed by the private respondent also dismissed on 30.10.2019. So, after the dismissal of the above said second appeal, the private respondents are making trouble. The mother of the petitioner has filed Crl.O.P(MD) No.6211 of 2019 seeking police protection and the same was disposed of by giving direction to the mother to give fresh representation. The representation sent by the petitioner has not been considered so far. Hence, this petition.

3.Since civil Court decree has been passed in favour of the petitioner, necessity of granting police protection may be enquired by the first respondent herein. Depending upon the outcome of the enquiry, the second respondent shall take steps to provide necessary police protection to the petitioner. Such exercise shall be completed within a period of one month from the date of receipt of a copy of this order.

4.With the above direction, this Criminal Original Petition stands allowed.

Sd/-

Assistant Registrar (T&P)

// 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,
Office of Superintendent of Police,
Tenkasi District, Tenkasi.

2.The Inspector of Police,
Surandai Police Station,
Surandai, Tenkasi.



3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD) No.15476 of 2021

08.10.2021

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MGJ/PM(10.11.2021) 3P 4C