



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.9344 OF 2022

V.R.Somasundaram

... Petitioner

Vs.

1. The Inspector of Police,
Kottur Police Station,
Kottur, Coimbatore District.
[Ref.C.S.R.No.114 of 2022 dt. 08.04.2022]

2. Bhuvaneswari

... Respondents

PRAYER:

This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the 1st respondent to provide protection at the petitioner's property situated at Plot No.3, Arunachalam Nagar, comprised in Survey Nos.726 & 727/2, Kottur Village, Anaimalai Taluk, Coimbatore District.

For Petitioner : Mr.K.Surendar

For Respondents : Mr.V.Meganathan,
Government Advocate (Crl. side)

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the 1st respondent to provide protection at the petitioner's property situated at Plot No.3, Arunachalam Nagar, comprised in Survey Nos.726 & 727/2, Kottur Village, Anaimalai Taluk, Coimbatore District.

2. Learned Counsel for the petitioner would submit that the petitioner is the sole and absolute owner of the vacant land measuring an extent of 3960 square feet, bearing Plot No.3, Arunachalam Nagar [Layout approved by DTCP vide Ref.No.138/2000], comprised in Survey Nos.726 & 727/2, Kottur



Village, Anaimalai Taluk, Coimbatore District. The Petitioner has purchased the same by way of duly registered Sale Deed dated 11.11.2021, registered as Document No.4891 of 2021, on the file of the Sub Registrar, Anaimalai. He would further submit that the petitioner has been in continuous possession and enjoyment of the said property and the revenue records also duly reflect the petitioner's Name in Patta Nos.2027 and 2088. Since, the property was covered with bushes, he intended to clean the same on 07.04.2022 along with his workmen. When they started the cleaning work, the 2nd respondent and her parents and few others threatened the petitioner and his workmen demanding to stop the work. Thereafter, the petitioner had preferred a complaint on 08.04.2022, before the 1st respondent Police, seeking police protection. Although the 1st respondent had issued a C.S.R. bearing No.114 of 2022 dated 08.04.2022, no action has been taken on the petitioner's complaint till date.

3. When the matter taken up for hearing today, the learned Government Advocate would submit that in respect of the very same property the petitioner and the counter party have filed suits in O.S.Nos.5 & 87 of 2006, on which, common judgment and decree was passed by the Sub-Court, Pollachi. He would submit that the Lower Court had granted a decree in favor of the petitioner, against which the 2nd respondent and her family members preferred an Appeal Suits in A.S.Nos.55 & 57 of 2011 and the same has been dismissed on 28.11.2012. Against which the 2nd Respondent and her family members preferred a second appeal before this Court. Based on the C.S.R.No.114 of 2022, the 1st respondent had conducted an enquiry and during the enquiry the 2nd respondent has stated that the appeal is pending. He would submit that based on the Civil Court's order appropriate protection will be given.

4. Recording the submission of the learned Government Advocate, this Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nti/sai



To

1. The Inspector of Police,
Kottur Police Station,
Kottur, Coimbatore District.

2. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.K.Surendar, Advocate, S.R.No.28223

Cr1.O.P.No.9344 of 2022

SKM(CO)
PM/12/05/2022