



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2022

CORAM:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

CrI.O.P.No.10417 of 2022

V.Bagavathi,
S/o. Late Vellaisamy

... Petitioner

Versus

1. The State of Tamil Nadu,
rep. by the Superintendent of Police,
Ooty, The Nilgiris Dt.
2. The Deputy Superintendent of Police,
Gudalur, The Nilgiris Dt.
3. The Inspector of Police,
Gudalur,
The Nilgiris Dt.
4. V.Mohan,
S/o. Velu

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 3rd respondent to give police protection at the house site property of the petitioner having an extent of 14.75 cents comprised in Survey Nos. (1) 217/20, 217/3A1A2 and 217/3A1C having patta No.10384, situate in Nanthatti, Gudalur - II Village, Gudalur Taluk, Nilagiri District.

For Petitioner : Mr.Secular S. Arunkumar

For Respondents : Mr.A.Gokulakrishnan,
Addl. Public Prosecutor
for R1 to R3

ORDER

This Criminal Original Petition has been filed seeking a direction directing the 3rd respondent to give police protection to the house site property of the petitioner having an extent of



14.75 cents situated at Nathatti, Gudalur-II Village, Gudalur Taluk, Nilgiris District.

2. Though it is projected as if the petitioner is the owner of house site property and he is in possession of entire extent of 14.75 acres and some third party is interfering with his possession, it appears from the records and also submissions, that a civil suit is already pending between the petitioner and the so-called third party in O.S.No. 25 of 2020 on the file of District Munsif, Gudalur. Such being the position, blanket order of police protection cannot be granted unless and until the Civil Court decides the right of parties. In such view of the matter, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

rpp

To

1. The Superintendent of Police,
State of Tamil Nadu,
Ooty, The Nilgiris Dt.
2. The Deputy Superintendent of Police,
Gudalur, The Nilgiris Dt.
3. The Inspector of Police,
Gudalur,
The Nilgiris Dt.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Arunkumar, Advocate, S.R.No.32219

CRL.O.P.No.10417 of 2022

GPL (CO)
UMA (14/06/2022)