



Crl.O.P No.26719 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **08.11.2022**

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Crl.O.P No.26719 of 2022

Velusamy

... Petitioner

Vs.

1.The Superintendent of Police,
Coimbatore District.

2.State represented by the Inspector of Police,
Thagadam Police Station,
Coimbatore.

3.Arumuganainar
Sub-Inspector of Police,
Thagadam Police Station,
Chinna Thagadam,
Coimbatore District.

4.Rani

5.Prabhu

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying to issue direction directing the 2nd respondent to provide necessary police protection to reach his property.



Crl.O.P No.26719 of 2019

For Petitioner : Mr. J.Franklin

For R1 and R2 : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

This petition is filed to issue direction directing the 2nd respondent to provide necessary police protection to reach his property.

2. The property measuring an extent of 2 Acre 42 Cents in Survey No.380, Chinna Thadakkam Village, belonged to one Marudappa Gounder who had two wives. The first wife is one Rangammal and the second wife is one Pappammal. Marudappa Gounder had three children through his first wife and one son through his second wife. The children of his first wife have filed a suit in O.S. No.59 of 2019 for partition against the son of his second wife. The suit was decreed on 30.07.2009 and three shares were allotted to plaintiffs. Thereafter the plaintiffs have filed a petition for final decree in I.A. No.470 of 2009 and final decree proceedings have also been completed.

3. The main contention of the petitioner is that the respondents 4 and 5 are not allowing the petitioner to get into the property and they are causing



threat to the petitioner. Hence the petitioner has filed a complaint on 12.10.2022 to the first respondent. Since no action has been taken, the present

Writ Petition has been filed.

4. The learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, the respondent police had initiated a current paper enquiry in C.S.R. No.106 of 2022 and on the complaint given by the other party, enquiry has been initiated in C.S.R. No.123 of 2021.

5. Since both the parties have given complaint against each other, it is obligatory on the part of the third respondent to conduct enquiry in both petitions simultaneously and do the needful.

6. In view of the above, this Criminal Original Petition is disposed with a direction to the third respondent to conduct enquiry in both the petitions in C.S.R.No.106 of 2022 and C.S.R.No.123 of 2021 simultaneously and do the needful in accordance with law within a period of two weeks from the date of receipt of a copy of this order.

08.11.2022



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Index : Yes/No
Speaking Order : Yes / No
bkn

R.N.MANJULA, J.,

bkn

To:

- 1.The Superintendent of Police,
Coimbatore District.
- 2.The Inspector of Police,
Thagadam Police Station,
Coimbatore.
- 3.The Public Prosecutor,
High Court, Madras.

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