



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.1128 of 2022

Vaithiyappan

... Petitioner

vs.

1.The Superintendent of Police,
Thenkasi District,
Virudhunagar District.

2.The Inspector of Police,
Sivagiri Police Station,
Tenkasi District.

3.Kaniappa Nayakar

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents 1 & 2 to award adequate police protection to the petitioner and enabling the petitioner to fence his property situated at Ward No.3, Sivagiri Kaspas Town, Sivagiri, Thenkasi District by considering the petitioner's representation dated 09.12.2021.

For Petitioner	: Mr.R.Niresk Kumar
For R1 & R2	: Mr.M.Sakthi Kumar
	Government Advocate (Crl.)

ORDER

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (crl.side) appearing for R1 & R2.

2. The petitioner is not having any enforceable order or decree from the jurisdictional civil court. It is true that the third respondent herein filed partition suit against the petitioner and his brother and that the same was also dismissed. But on the strength of the dismissal of the suit filed by the third respondent, the second respondent cannot be directed to give police protection to the petitioner. Leaving open the petitioner's other rights and remedies, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



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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,
Thenkasi District,
Virudhunagar District.
- 2.The Inspector of Police,
Sivagiri Police Station,
Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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_RD/CK(07.02.2022) 2P 4C