



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.18479 of 2021

Paraman

... Petitioner

Vs.

1.The Superintendent of Police,
O/o.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Vedasandur police station,
Dindigul District.

3.Sakkarai Pandi

... Respondents

Prayer : Criminal Original petition is filed under Section 482 of Cr.P.C, to direct respondents 1 and 2 to provide adequate police protection to the life and limb of the petitioner and his property comprised in Survey No.471/1B and 471/1D situated at Sullerumbu Village, Dindigul West Taluk, Dindigul District based on the complaint dated 08.11.2021 given by the petitioner.

For Petitioner : Mr.J.Lawrence, Advocate
For R-1 & R-2 : Mr.M.Veeranthiran,
Government Advocate (Crl. Side).
For R-3 : Mr.N.Adhithya Vijayalayan,
for Mr.D.Venkatesh.

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for respondents 1 and 2 and the learned counsel appearing for the third respondent.

2.The petitioner states that he has obtained decree in O.S.No.198 of 2012 on the file of the District Munsif, Dindigul and that the third respondent who is a subsequent purchaser is not honouring the decree. On the other hand, learned counsel appearing for the third respondent would claim that the property had been purchased by the third respondent even before passing of the decree. He would point out that the decree is an ex-parte decree. He also stated that the suit filed by both the petitioner as well as the third respondent is pending before the jurisdictional civil Court. When the jurisdictional civil Court is seized of the matter, the question of deciding the issue under Section 482 of Cr.P.C. does not arise.



3. Therefore, leaving open all the contentions and the defences of the petitioner, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (A.D-I)

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// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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,
O/o. The Superintendent of Police,
Dindigul District.
2. The Inspector of Police,
Vedasandur police station,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.18479 of 2021
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RS (18.02.2022) 2P-4C