



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.19541 of 2021

WEB COPY

Selvaraj

... Petitioner

Vs.

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

2.The Inspector of Police,
Thalavaipuram police station,
Thalavaipuram,
Virudhunagar District.

3.Sironmani

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to direct the second respondent to give necessary police protection to the petitioner for his life and limb and also give police protection to the petitioner to enter the petitioner's house property in Door No.2A/5 and Survey No.168/9B situated at Chidambarapuram Village, South Venganallur Panchayat, Rajapalayam Taluk, Virudhunagar District based on the petitioner's representation dated 14.10.2021.

For Petitioner	: Mr.G.Gomathi Sankar
For R-1 & R-2	: Mr.B.Thanga Aravindh, Government Advocate (Crl. Side).
For R-3	: Mr.M.Jothi Basu

* * *

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 wants this Court to direct the second respondent to give necessary police protection to the petitioner to enter the petition mentioned property. The petitioner had purchased the property on 14.05.2018 from one Lakshmiammal and Annakumar. The petitioner's vendors had filed O.S.No.39 of 2003 before the Principal District Munsif, Srivilliputhur, against the third respondent and obtained a decree of declaration and recovery of possession. The said decree was challenged by the third respondent. The appellate decree was passed way back in the year 2008. However, the third respondent did not challenge the appellate decree by



filing any second appeal. This is the decree obtained in favour of the petitioner's vendors had become final. The petitioner's vendors had also filed E.P.No.1 of 2014 and the same was terminated. The grievance of the petitioner is that the third respondent is acting in defiance of the decree.

3. When the decree obtained by the petitioner's vendors is holding the field and the third respondent suffered a decree, the jurisdictional police are bound to come to the rescue of the decree holder. I therefore direct the second respondent herein to grant necessary police protection to the petitioner to enable the him to enter the petition mentioned property.

4. This criminal original petition is allowed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PMU

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,
Virudhunagar District, Virudhunagar.
- 2.The Inspector of Police,
Thalavaipuram police station,
Thalavaipuram, Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO:

The Principal District Munsif, Srivilliputhur.

+1 CC to M/s.G.GOMATHI SANKAR, Advocate (SR-480[F]
dated 05/01/2022)

CrI.O.P.(MD)No.19541 of 2021

05.01.2022

bk (CO)

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