



Crl.O.P.No.540 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

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1. Siva Selva Rajan
 2. Durai
 3. Pandian
- .. Petitioners

Versus

1. The Superintendent of Police,
Perambalur District,
Perambalur.
 2. The Inspector of Police,
Perambalur District,
Perambalur.
 3. Pichaipillai
 4. Periyasamy
 5. Rajendran
- .. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to pass an order directing the respondents to consider the representation of the petitioner, dated 26.08.2022 and to give Police protection for the petitioner.



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For Petitioners : Mr.G.Ilamurugu

For Respondent : Mr.A.Damodar,
Additional Public Prosecutor,
for RR-1 and 2

ORDER

This petition has been filed for a direction to the respondents Police to consider the representation made by the petitioners on 26.08.2022 and to give Police protection.

2. Heard Mr.G.Ilamurugu, learned Counsel for the petitioners and Mr.A.Damodar, learned Additional Government Pleader for the respondents 1 and 2.

3.The main ground on which the present petition has been filed before this Court is that a decree was passed in O.S.No.631 of 1981 declaring the right and title over the property and granting permanent injunction in favour of the father of the petitioners. Thereafter once again the rival claimants attempted to interfere with the possession and enjoyment of the property and



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the father of the petitioners filed O.S.No.177 of 2007 (renumbered as O.S.No.68 of 2019) and this suit was also decreed on 05.04.2021. The grievance of the petitioners is that inspite of the Civil Court decree in their favour, the private respondents are attempting to interfere with the property and causing threat. The representation made by the petitioners to the respondents Police also did not evoke any response. Hence the present petition has been filed before this Court.

4. Taking into consideration the facts and circumstances of the case, there shall be a direction to the second respondent to act upon the representation made by the petitioners on 26.08.2022. If the second respondent finds that there is a Civil Court decree in favour of the petitioners, the private respondents shall be instructed not to interfere with the possession and enjoyment of the property or to cause any threat to the petitioners. If inspite of the same, the private respondents attempt to cause any threat, action shall be taken against them in accordance with law. On the other hand, if there are any other civil proceedings pending between the parties, the parties shall be relegated to the Civil Court to work out their



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remedy. This process shall be completed by the second respondent within a period of four weeks from the date of receipt of a copy of this order.

5. This Criminal Original Petition is disposed off with the above directions.

19.07.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

1. The Public Prosecutor,
High Court of Madras.
2. The Superintendent of Police,
Perambalur District,
Perambalur.
3. The Inspector of Police,
Perambalur District,
Perambalur.



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N.ANAND VENKATESH, J.
grs

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