



Crl.O.P.(MD)No.2012 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.2012 of 2023

A.Vani

... Petitioner

Vs.

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

2.The Inspector of Police,
Chathirapatti Police Station,
Dindigul District.

3.Subramania Gounder

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the first and second respondents to consider the petitioner's complaint, dated 20.11.2022 and give police protection for the life and limb from the third respondent and to construct a house in the petitioner's property in Survey No.424/1B, to an extent of 1170 sq.ft situated at Viruppachi Village, Ottanchathiram Taluk, Dindigul District.

For Petitioner : Mr.T.Ramasamy,



WEB COPY



Crl.O.P.(MD)No.2012 of 2023

For R1 and R2 : Mr.SS.Madhavan,
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders, to direct the first and second respondents to consider the petitioner's complaint, dated 20.11.2022 and give police protection for the life and limb from the third respondent and to construct a house in the petitioner's property in Survey No.424/1B, to an extent of 1170 sq.ft situated at Viruppachi Village, Ottanchathiram Taluk, Dindigul District.

2. The learned counsel for the petitioner would submit that the petitioner has earlier filed a writ petition in W.P.(MD)No.19872 of 2022, seeking directions for survey and sub division of the petitioner's house property and that this Court, vide order dated 26.08.2022, has issued certain directions. He would further submit that at the time of survey, they have found that the third respondent had encroached 1.5 feet land of the petitioner's property. Hence, the complaint.



Crl.O.P.(MD)No.2012 of 2023

WEB COPY

3. The learned Government Advocate (Criminal Side) appearing for the State would submit that on the basis of the complaint given by the petitioner, enquiry was conducted and the same was ordered to be closed.

4. It is evident from the records that there existed civil dispute between the parties.

5. Admittedly, there is no enforceable decree or order from the jurisdictional civil Court and as such, granting of police protection does not arise at all. As of now, leaving open the petitioner's rights and remedies, this Criminal Original Petition is dismissed.

02.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
das



WEB COPY



Crl.O.P.(MD)No.2012 of 2023

K.MURALI SHANKAR,J.

das

To

- 1.The Superintendent of Police,
Dindigul District, Dindigul.
- 2.The Inspector of Police,
Chathirapatti Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.2012 of 2023

-

Dated: 02.02.2023