



WEB COPY

Crl.O.P.(MD)No.3563 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.04.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD)No.3563 of 2023

G.Pushpam Ganapthy

... Petitioner

Vs

1. The Superintendent of Police,
Tuticorin District.
2. The Inspector of Police (L & O),
Muthaiypuram Police Station,
Thoothukudi Taluk, Thoothukudi District.
3. M.Sivasubramanian
4. M.Rajalakshmi

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents 1 and 2 to provide adequate police protection to the to put up the compound wall at 5 cents in Plot No. 16 (divided into plots in 1 acre 2 1/2 cents) in Old Survey No. 207/1B in resurvey No.207/1A1C, 207/2A and 207/2C in Mullakadu Village, Thoothukudi Taluk, Thoothukudi District in pursuance to the Judgment and Decree passed in O.S.No.111 of 2017, dated 30.10.2017 on the file



WEB COPY

Crl.O.P.(MD)No.3563 of 2023



of the Principal District Munsif, Tuticorin.

For petitioner : Ms.P.Jessi Jeeva Priya

For Respondents : Mr.R.Sureshkumar for R1 and R2
Government Advocate (Crl.Side)

Mr.S.Suresh Manickam for R3 and R4

ORDER

This criminal original petition has been filed seeking direction to the respondents 1 and 2 to provide adequate police protection to the to put up the compound wall at 5 cents in Plot No. 16 (divided into plots in 1 acre 2 1/2 cents) in Old Survey No. 207/1B in resurvey No.207/1A1C, 207/2A and 207/2C in Mullakadu Village, Thoothukudi Taluk, Thoothukudi District in pursuance to the Judgment and Decree passed in O.S.No.111 of 2017, dated 30.10.2017 on the file of the Principal District Munsif, Tuticorin.

2.When the matter was taken up for hearing on 23.02.2023, it was submitted by the learned counsel for the petitioner that on the basis of the civil court decree, he made a representation seeking police protection, since there is a threat by the private respondents. Therefore, notice was ordered to the private respondents. Today, they have entered appearance through their counsel and submitted that they have filed a suit in O.S.No.



130 of 2022 on the file of the District Munsif's Court, Thoothukudi, by adding this petitioner as defendant and as well as the Commissioner of Thoothukudi Corporation. On that ground the representation that was made by the petitioner was rejected by the respondents stating that civil dispute is also pending between the parties.

3.In view of the above, the parties can workout their remedy in the pending civil suit. Question of granting police protection to either of the parties does not arise at this stage and the representation was rightly closed by the respondent police.

4.Accordingly, this criminal original petition is dismissed.

05.04.2023

Index : Yes/No

Internet : Yes/No

TM

To

1. The Superintendent of Police,
Tuticorin District.
2. The Inspector of Police (L & O),
Muthaiypuram Police Station,
Thoothukudi Taluk, Thoothukudi District.



Crl.O.P.(MD)No.3563 of 2023

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

WEB COPY



WEB COPY



Crl.O.P.(MD)No.3563 of 2023

G.ILANGO VAN. J.

TM

Crl.O.P.(MD)No.3563 of 2023

05.04.2023