



CrI.O.P.(MD)No.4851 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.03.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.4851 of 2023

Raja Mohamed

... Petitioner

Vs.

1. The Superintendent of Police,
Theni District,
Theni.
2. The Inspector of Police,
Chinnamanur Police Station,
Theni District.
3. Mohamed Foreshkan,
S/o. Abdul Rahuman.
4. Samsiya Begam,
W/o. Abdul Rahuman.
5. Beer Mohamed Jeyalani,
S/o. Abdul Rahuman.
6. Sakkinabarven @ Sakkina Balikis,
W/o. Not Known.
7. Sajitha Jawahar,
D/o. Abdul Rahuman.
8. Mathina Munavar,
S/o. Abdul Rahuman.

9. Mohamed Ragupan,

S/o. Prem Naizer,

<https://www.mhc.tn.gov.in/>



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10. Alavudeen Gilji,
S/o. Prem Naizer.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to issue a direction directing the respondents 1 and 2 to give adequate police protection for the enjoyment of property in survey No. 26/7 to an extent of 4 acres 22 cents in Kuchanur Village, Theni District by considering the petitioner's representation dated 27.08.2022.

For Petitioner
For R1 and R2

: Mr.R. Suriya Narayanan
: Mr.B.Nambiselvan
Additional Public Prosecutor
Madurai Bench of Madras High Court

ORDER

This petition is filed seeking direction directing the respondents 1 and 2 to give adequate police protection for the enjoyment of property in survey No. 26/7 to an extent of 4 acres 22 cents in Kuchanur Village, Theni District by considering the petitioner's representation dated 27.08.2022.

2. When the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondent police submitted that in respect of the property dispute between the parties, suit in O.S.No.33 of 2023 was filed by the petitioner and another suit in O.S.No.40 of 2015 was filed by the private respondent herein before the District Munsif Court,



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Uthamapalayam. After dismissal of the suit, appeal has been preferred and the same is also pending.

3. The learned counsel for the petitioner submitted that after dismissal of the suit, the private respondents continuously harassed the petitioner. Therefore, the petitioner made representation dated 27.08.2022 and the same was not considered by the concerned respondent. Hence, the present petition has been filed.

4. Heard both sides and perused the materials available on record.

5. Since in respect of the property dispute between the parties, suit and the appeals are still pending, at this stage granting police protection does not arise.

6. In view of the above, nothing survives for further consideration in this matter. Hence, this Criminal Original Petition is dismissed as infructuous and liberty is granted to the petitioner to workout his remedy in the pending suit.

15.03.2023

Index : Yes/No
Internet: Yes/No
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G.ILANGO VAN, J.,

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