



CrI.O.P.(MD) No.8846 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.05.2023

CORAM:

THE HONOURABLE **MRS. JUSTICE T.V.THAMILSELVI**

CrI.O.P.(MD) No.8846 of 2023

Nethaji @ Vijayakumar

...Petitioner

Vs.

1.The Superintendent Of Police,
Thanjavur District, Thanjavur.

2.The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.

3.Thiyagarajan

4.Amsavalli

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondents 1 and 2 to provide necessary police protection for the petitioner's personal safety to take possession over the share of property in Ward No.7, Block No.30, Survey No.1416/2, Kumbakonam Taluk, Thanjavur District allotted to the petitioner, pursuant to the judgment and decree I.A.No.512 of 1987 in the re-numbered O.S.No.309 of 1987 on the file of the Principal District Munsif



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Court, Kumbakonam in light of the petitioner's petition No.G319388 dated 18.04.2023 on the file of the Superintendent of Police, Thanjavur and the complaint in CSR No.356/2022 dated 21.06.2022 on the file of the Inspector of Police, Kumbakonam East Police Station, Thanjavur District.

For Petitioner : Mr.N.Dilip Kumar

For Respondents : Mr.R.Sivakumar (R1 & R2)
Government Advocate

ORDER

This petition has been filed seeking for a direction to the respondents 1 and 2 to provide necessary police protection for the petitioner's personal safety to take possession over the share of the property in Ward No.7, Block No.30, Survey No.1416/2, Kumbakonam Taluk, Thanjavur District allotted to the petitioner, pursuant to the judgment and decree passed in I.A.No.512 of 1987 in the re-numbered O.S.No.309 of 1987 on the file of the Principal District Munsif Court, Kumbakonam, in light of the petitioner's petition No.G319388 dated 18.04.2023 on the file of the Superintendent of Police, Thanjavur and the



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complaint in CSR No.356/2022 dated 21.06.2022 on the file of the Inspector of Police, Kumbakonam East Police Station, Thanjavur District.

2. The learned counsel appearing for the petitioner submits that as per the final decree proceedings, first item of the A schedule property was allotted to the share of the petitioners therein, who are the decree holders including the petitioner herein and based on the civil Court's decree, delivery was recorded on behalf of the petitioner in E.P.No.62 of 2019. After taking possession through Court of law, the respondents 3 and 4, who are the distant relatives are causing hindrance to the petitioner in enjoyment of the property. The petitioner has already given a complaint, which was taken on file in CSR No.356 of 2022. Even though the petitioner took delivery of the first item of the A schedule property through Court of law, the respondents 3 and 4 are causing hindrance to the petitioner.



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3. In view of the hindrance caused by the respondents 3 and 4 to the petitioner, even after taking delivery of the property through Court of law, the respondent police is directed to give necessary police protection to the petitioner in the manner known to law. Accordingly, this Criminal Original Petition is disposed of.

17.05.2023

NCC:Yes/No
Index:Yes/No
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To

- 1.The Superintendent Of Police,
Thanjavur District, Thanjavur.
- 2.The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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T.V.THAMILSELVI, J.

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