



Crl.O.P(MD) No.12024 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 03.07.2023

CORAM:

The Hon`ble Dr.Justice **D.NAGARJUN**

Crl.O.P.(MD)No.12024 of 2023

M.Balasubramaniam

... Petitioner

Vs

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

2.The Deputy Superintendent of Police,
Vedchandur,
Dindigul District.

3.The Inspector of Police,
Guzliamparai police station,
Dindigul District.

4.Solar Power Energy Pvt. Ltd.,
represented by
P.Sankar Ganesh,
Chathrapatti,
Guzliamparai.

... Respondents

Prayer: Petition filed under Section 482 of Cr.P.C., to direct to the third respondent to give adequate police protection to life and limbs of the



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petitioner based on the petitioner's representation dated 05.06.2023 within the time stipulated by this Court.

For Petitioner : Mr.S.Arunnithy

For Respondents : Mr.S.S.Madhavan
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition is filed seeking for providing adequate police protection, to the petitioner as per the representation dated 05.06.2023, from unofficial fourth respondent.

2. It is submitted by the learned counsel for the petitioner that he has been in possession and enjoyment of the land in Survey No.969/2E situated at Palayam village and the fourth respondent trespassed along with his men with heavy vehicle and equipment on 03.06.2023 and started building high tension electric towers without any permission and failed to produce any documents on demand, even after giving a complaint to the police, no action is taken.



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3. The learned Government Advocate (Crl.side) submits that on the strength of complaint given by respondent No.3, police have enquired the issue wherein the petitioner has given an undertaking that he will approach the civil Court. It is further submitted that according to respondent No.4, the father of the petitioner has executed an agreement permitting to install high tension electric towers.

4. It is seen that the dispute between the petitioner and the fourth respondent is purely civil in nature. In case, if the petitioner feels that the fourth has no right to interfere into the scheduled land belonging to him, he should have approached the civil Court file appropriate suit, preventing the fourth respondent from interfering into his land and erecting high tension towers. But for the reasons known to him, the petitioner has not taken any action in that direction. The dispute between the petitioner and the fourth respondent should be resolved only by the Civil Court and that police have no role to play in the case.



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5. With this observation, this Criminal Original Petition is dismissed. The petitioner is at liberty to approach the civil Court for redressal of his grievances against the fourth respondent herein.

03.07.2023

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

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To

- 1.The Superintendent of police, Dindigul, Dindigul District.
- 2.The Deputy Superintendent of Police, Vedchandur, Dindigul District.
- 3.The Inspector of Police, Guziliamparai police station, Dindigul District.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.



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DR. D.NAGARJUN, J.

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