



*CrI.O.P.(MD) No.12481 of 2023*

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2023

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

**CrI.O.P.(MD) No.12481 of 2023**

S.Jammal Mohamed

... Petitioner

Vs.

1.The Superintendent of Police,  
Ramanathapuram District.

2.The Deputy Superintendent of Police,  
Ramanathapuram,  
Ramanathapuram District.

3.The Inspector of Police,  
R.S.Mangalam Police Station,  
Ramanathapuram District.

4.Sahul Hameed

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondent Nos.1 to 3 herein to consider the petitioner's representation dated 12.06.2023 and accord police protection to the life and limb the petitioner's property in old.S.No.77/3, New.S.No.268/11 in patta No.1399 bearing Door.No.



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14/27, New Door.No.14-27/14-4-10, to an extent of 2269 sq.ft., house with vacant site in R.S.Mangalam Village and Post, Ramanathapuram Taluk and District.

For Petitioner : Mr.D.Nallathambi

For R1 to R3 : Mr.B.Thanga Aravindh  
Government Advocate (Crl.side)

### **ORDER**

This petition is filed seeking for a direction to the respondent Nos.1 to 3 police to initiate action against the respondent No.4 and to provide appropriate police protection.

2.It is submitted by the learned counsel that the petitioner is the power of attorney of the principal, who owns the property situated in Old.S.No.77/3, New.S.No.268/11 in patta No.1399 bearing D.No.14/27, New.D.No. 14-27/14-4-10. The respondent No.4, who was permitted to stay, has failed to vacate the premises, on which the petitioner has filed O.S.No.110 of 2011 on the file of the Sub Court, Ramanathapuram seeking declaration of title and recovery of possession. The same was decreed on 11.08.2017. Subsequently, the respondent No.4 preferred an appeal and second appeal and both of them were dismissed. Ultimately, the petitioner stated to have filed E.P.No.12 of 2018 for



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recovery of possession and the said petition was allowed and the respondent No.4 was evicted from the said property and the petitioner was put in possession and Court Amina has also filed a report before the Court accordingly. It is submitted that even after exhausting all the remedies in all the course, the respondent No.4 is still trying to encroach and disturb the possession of the petitioner and therefore, the petitioner has filed an application before the police for taking appropriate action and for protection.

3.The learned Government Advocate (Crl.side) submits that based on the representation submitted by the petitioner, enquiry has been conducted and closed.

4.By recording the submissions by the learned Government Advocate (Crl.side), the petitioner is directed to approach the police and make a fresh application once again seeking protection explaining all the facts, on which the respondent police Nos.1 to 3 are directed to provide suitable protection to the petitioner from the respondent No.4.



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5. With the above direction, this Petition is disposed of.

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

**11.07.2023**

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To

1. The Superintendent of Police,  
Ramanathapuram District.
2. The Deputy Superintendent of Police,  
Ramanathapuram,  
Ramanathapuram District.
3. The Inspector of Police,  
R.S.Mangalam Police Station,  
Ramanathapuram 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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