



CrI.O.P.(MD)No.12545 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 12.07.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CRL.O.P.(MD)No.12545 of 2023

Palaniammal

... Petitioner

Vs.

1.The State represented by
The Superintendent of Police,
Sivagangai District, Sivagangai.

2.The Inspector of Police,
Karaikudi South Police Station,
Karaikudi, Sivagangai District.

3.Rajamani

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, praying this Court to direct the respondents 1 and 2 to provide adequate police protection for the life and limb of the petitioner by considering the petitioner's representation dated 13.06.2023.

For Petitioner

: Mr.R.Maheswaran

For R1 & R2

: Mr.B.Thanga Aravindh,

Government Advocate (CrI.Side)



WEB COPY



CrI.O.P.(MD)No.12545 of 2023

ORDER

This Criminal Original Petition is filed seeking for a direction to the respondent Police to provide adequate police protection to the life and limb of the petitioner by considering the petitioner's representation dated 13.06.2023.

2.It is submitted by the learned counsel appearing for the petitioner that the property in dispute originally belongs to Arulmigu Thiruvankamudaiyan Temple and the petitioner stated to have been in continuous possession of the property since 1960 and one of the trustees of the said temple by name Andi Ambalam has settled the temple properties in favour of his wife, namely, Rakkammal. Since they did not have any child, they adopted one Anbarasau and settled the properties in his favour. The said Anbarasu has given power of attorney to the 3rd respondent herein, who has been trying to interfere with the possession of the petitioner and has damaged the house of the petitioner with the help of JCB.

3.It is also submitted by the learned counsel for the petitioner that based on the order of this Court dated 24.01.2019 made in CRL.O.P.(MD)No.4857 of 2017, the 3rd respondent has been claiming that he has got positive orders.



Crl.O.P.(MD)No.12545 of 2023

WEB COPY

4.The learned Government Advocate (Crl.Side) appearing for the respondents 1 and 2, on the other hand, submitted that both the petitioner and the 3rd respondent have been claiming rights in respect of the property in dispute. Based on the rival complaint a case has been registered against the petitioner in Crime No.116 of 2023 for the offences under Sections 147, 448, 294(b), 323 and 506(ii) IPC and similarly, another case has been registered against the 3rd respondent in Crime No.119 of 2023 for the offences under Sections 294(b), 323 and Section 4 of TNPHW Act. Insofar as the present complaint that is now filed by the 3rd respondent is concerned, the learned Government Advocate (Crl.Side) for the respondents 1 and 2 submitted that the same would be disposed of within a period of two weeks.

5.The same is recorded. Since the dispute between the parties is purely civil in nature, the respondent Police are directed not to interfere with the civil dispute, unless any criminal offence is committed or attempted to have been committed.



CrI.O.P.(MD)No.12545 of 2023

6With the above direction, this Criminal Original Petition stands disposed of.

12.07.2023

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

To

- 1.The Superintendent of Police,
Sivagangai District, Sivagangai.
- 2.The Inspector of Police,
Karaikudi South Police Station,
Karaikudi, Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CrI.O.P.(MD)No.12545 of 2023

DR.D.NAGARJUN. J.

Yuva

CRL.O.P.(MD)No.12545 of 2023

12.07.2023