



CrI.O.P.(MD) No.17501 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.09.2023**

CORAM:

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

CrI.O.P.(MD)No.17501 of 2023

R.Meyappan

... Petitioner

Vs.

1.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2.The Inspector of Police,
Annavasal Police Station,
Pudukkottai District.

3.Murugan

4.Rajendran

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents 1 and 2 to provide adequate police protection to the life and limb of the petitioner and his family members by considering the petitioner representation dated 31.07.2023.



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For Petitioner :Mr.R.Maheswaran

For R1 & R2 :Mr.B.Thanga Aravindh
Government Advocate (Criminal.side)

ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking for a direction to the respondent police to provide adequate protection to the life and limb of the petitioner and his family members by considering the petitioner representation dated 31.07.2023.

2.It is submitted by the learned counsel for the petitioner that the petitioner has been in possession and enjoyment of the property in patta No.828 and when the dispute arose, the petitioner got the said land surveyed and it is submitted that on account of a private sale deed, a patta was granted in respect of the petitioner's land in favour of the unofficial respondent Nos.3 and 4 in patta No.675. However, the petitioner has challenged the same before the Revenue Divisional Officer and the Revenue Divisional Officer got that corrected and the names of the unofficial respondent Nos.3 and 4 were deleted and again the petitioner's patta was restored. Subsequently, survey was conducted and fencing was done and even then, the



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unofficial respondent Nos.3 and 4 are trying to intervene and therefore, sought for police protection.

3.The learned Government Advocate (Crl.side) submits that an enquiry was conducted on the representation of the petitioner and both the parties have appeared before the police and gave an undertaking that they would get the land surveyed and even after that still if any civil dispute is there, they would approach the appropriate civil Court and accordingly, the said representation was closed on 25.08.2023.

4.Considering the submissions made by the learned counsel on either side and on perusal of the records, it is clear that the petitioner and the unofficial respondent Nos.3 and 4 have got dispute with regard to the immovable property. When the unofficial respondent Nos.3 and 4 are making an attempt to dispose, the petitioner should have approached the civil Court and file appropriate suit for injunction. Instead of going to the civil Court, the petitioner by giving the civil dispute as a color of a criminal case has approached the police and again filed this petition.



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5.Since the representation of the petitioner has already been closed, since according to the police, there is no threat, orders cannot be passed in this petition. Accordingly, this Petition is dismissed.

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

29.09.2023

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To

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



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DR.D.NAGARJUN. J.

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