



Crl.O.P.(MD)No.22834 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.02.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.22834 of 2022

S.Sivaguru

... Petitioner

Vs.

1.The Inspector of Police,
Aravayal Police Station,
Sivagangai District.

2.Arunachalam Chettiyar

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the first respondent to provide police protection to the petitioner for fencing his land from the second respondent and his henchmen, of the petitioner's surveyed land as per the direction of this Court in W.P.(MD)No.21506 of 2022 dated 09.09.2022.

For Petitioner : Mr.G.Hariharan

For R1 : Mr.R.Sivakumar
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the first respondent to provide



Crl.O.P.(MD)No.22834 of 2022

police protection to the petitioner for fencing his land from the second respondent and his henchmen, of the petitioner's surveyed land as per the direction of this Court in W.P.(MD)No.21506 of 2022 dated 09.09.2022.

2. It is evident from the records that the petitioner has earlier filed a petition in W.P.(MD)No.21506 of 2022 seeking direction to the respondents therein/the Tahsildar, Devakottai Taluk and the Head Surveyor, Devakottai Taluk to survey and measure the land in S.No. 39/1A situated at Pariyanvayal Village, Thalayur Group, Devakottai Taluk and this Court vide order dated 09.09.2022 directed the respondents therein to survey and measure the same and fix boundaries, by considering the petitioner's representation dated 19.05.2022 within a period of four weeks from the date of receipt of a copy of that order.

3. The learned counsel appearing for the petitioner as well as the learned Government Advocate (Criminal Side) appearing for the first respondent would submit that in pursuance of the direction of this Court, the property was measured and at that time, sufficient police protection was given and the learned counsel appearing for the petitioner would



Crl.O.P.(MD)No.22834 of 2022

submit that even thereafter, the second respondent has been interfering with the petitioner's possession and enjoyment of the property.

4. Considering the submission made by the petitioner's side, it is evident that there existed property dispute between the parties. Admittedly, there is no enforceable decree or order from the competent civil Court and as such, the granting of police protection does not arise at all. As of now, leaving open the petitioner's rights and remedies, this Criminal Original Petition stands disposed of.

13.02.2023

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

To

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



WEB COPY



Crl.O.P.(MD)No.22834 of 2022

K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.22834 of 2022

Dated: 13.02.2023