



CrI.O.P.(MD) No.21944 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

CrI.O.P.(MD) No.21944 of 2023

Rajapandiyan

... Petitioner

Vs

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

2. The Inspector of Police,
Cumbum South Police Station,
Theni District.

3. Mohammed Jakkariya

4. Haroon Rashith

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to direct the 2nd respondent to accord adequate police protection for complying with the order passed by the learned District Munsif, Uthamapalayam, Theni District in R.L.T.O.P.No.01/2021 dated 25.08.2023 in the light of the petitioner's representation, dated 27.10.2023.

For Petitioner : Mr. Dhilipan Pandian R L
For Respondent : Mr. R.M.Anbunithi
Additional Public Prosecutor



WEB COPY



Crl.O.P.(MD) No.21944 of 2023

ORDER

This Criminal Original Petition had been filed to direct the 2nd respondent to accord adequate police protection for complying with the order passed by the learned District Munsif, Uthamapalayam, Theni District in R.L.T.O.P.No.01/2021, dated 25.08.2023.

2.The case of the petitioner is that there is a dispute between the petitioner/landlord and third respondent/tenant. First attempt was made by the tenant before the Civil Court by filing a suit in O.S.No.43 of 2021, which was dismissed for default. Later, this petitioner filed a petition in R.L.T.O.P.No.01 of 2021 before the District Munsif Court, Uthamapalayam seeking an order of eviction and that was also considered and ordered in favour of the petitioner on 25.08.2023. The third respondent is making false documents and creating encumbrance over the property. Hence, seeking police protection to comply with the said order this petition has been filed.

3.In order to execute a civil Court decree, the petitioner cannot file this sort of representation seeking police protection. The petitioner has to



CrI.O.P.(MD) No.21944 of 2023

file appropriate execution petition before the concerned Court. Apart from that this Court cannot entertain such of this issue.

4. Accordingly, this petition stands dismissed.

06.12.2023

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

To

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

2. The Inspector of Police,
Cumbum South Police Station,
Theni District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CrI.O.P.(MD) No.21944 of 2023

G.ILANGOVAN, J.

PNM

ORDER IN
CrI.O.P.(MD) No.21944 of 2023

06.12.2023