



CrI.O.P.(MD)No.405 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.01.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P.(MD)No.405 of 2024

Gloriyamary

...Petitioner

Vs.

1. The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.

2. The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.

3. Jeyalakshmi

4. Moorthi

5. Krishnan

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Respondents No.1 and 2 herein to provide adequate police protection to the Petitioner's life and limb at the time of fencing of her land, on the basis of the Petitioner's representation dated 08.12.2023.



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For Petitioner : Mr.S.Sathyachidambaram

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

This Criminal Original Petition had been filed seeking a a direction against the Respondents No.1 and 2 to provide police protection.

2. The learned Counsel for the Petitioner submitted that the Respondents No.3 to 5 encroached the temple land. The Petitioner is in possession and enjoyment of the patta land. While so, there had been a dispute between them regarding the boundaries. The petitioner had filed a proper petition before the survey authorities who had measured the land and fixed the boundaries. Now, the Petitioner wanted to put up fence as per the boundaries fixed by the survey authorities for which the Respondents No.3 to 5 had been objecting. Therefore, the Petitioner had filed proper application before the second Respondent seeking for police protection. The second Respondent had not granted police protection and therefore, the Petitioner had filed this petition seeking direction against the Respondents No.1 and 2 to provide police protection, so that the Petitioner can fence her properties as per the boundaries fixed by the survey authorities.



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3. The learned Additional Public Prosecutor submitted that as per the latest circular issued by the Director General of Police, an enquiry was conducted and the same was closed. The Petitioner is directed to approach the Civil Court for appropriate relief, considering the latest circular of the Director General of Police, the Head of State Police and Additional Director General of Police (Law & Order), who had warned the field officers that they shall not register or entertain any cases involving civil dispute and warned them of consequences for violation of the circular. In the light of the latest circular, the Petitioner is directed to approach the competent civil Court and obtain appropriate orders.

4. With the above said direction, this Criminal Original Petition is disposed of.

11.01.2024

Index : Yes/No

Internet: Yes/No

jbr



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To

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Sivagangai,
Sivagangai District.
2. The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.,

jbr

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