



Crl.O.P.(MD) No.686 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.01.2024

CORAM:

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD) No.686 of 2024

N.Muniyasamy

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Thiruchuli,
Virudhunagar District.

3.The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.

4.Subbuthai

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the first respondent to instruct the respondents 2 and 3 to give necessary police protection on the basis of the petitioner's representation dated 23.12.2023.

For Petitioner : Mr.B.Anandan

For R-1 to R-3 : Mr.T.SenthilKumar
Additional Public Prosecutor



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ORDER

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The present petition is filed seeking a direction to the respondents 2 and 3 to give necessary police protection on the basis of the petitioner's representation dated 23.12.2023.

2. The case of the petitioner is that the property in Survey Nos.110/13C, 128/21B, 128/22, 129/23B, 129/23D, 133/3B, 133/8, 138/6A, 141/1B, 141/7B, 144/2B, 144/2A, 149/3A, 152/6B, 184/2B of Chellaiyapuram Village, Regunathamadai Group, Thiruchuli Taluk, Virudhunagar District, absolutely belonged to the petitioner's father and after his death, the petitioner is in possession and enjoyment of the said properties. His further contention is that he filed O.S.No.150 of 2012 before the Additional District Court, Aruppukottai along with I.A.No.341 of 2012 seeking for temporary injunction under order XXXIX Rule 1, 2 of the code of civil procedure. According to him, an order of interim injunction was granted by the District Munsif, Aruppukottai in the year 2012 and despite the same, the fourth respondent is constantly disturbing the peaceful possession and enjoyment of the above mentioned properties and in this regard though a representation dated 23.12.2023 was given to the third respondent police, till date no action has been taken in the said complaint and therefore, he prayed for police protection.



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3. Mr.T.SenthilKumar, learned Additional Public Prosecutor on instructions would contend that the respondent police, on receipt of the representation, registered a case in C.S.R.No.11 of 2024 and after conducting enquiry, the same was closed on 17.01.2024, since the dispute between the parties are civil in nature.

4. It is pertinent to point out that the petitioner has filed only a copy of the orders passed in I.A.No.341 of 2012 in O.S.No.150 of 2012 and nothing is stated about the pendency of the main suit in O.S.No.150 of 2012. The petitioner is directed to work out his remedy in the suit in O.S.No.150 of 2012, if the same is still pending.

5. Accordingly, this Criminal Original Petition is dismissed.

18.01.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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- 2.The Deputy Superintendent of Police,
Thiruchuli,
Virudhunagar District.
- 3.The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R. HEMALATHA, J.

Nsr

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