



CrI.O.P.(MD) No.2529 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.2529 of 2024

S.S.Murugan

...Petitioner

VS

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

**2.The Inspector of Police,
Chinnamanur Police Station,
Theni District.**

3.C.Nagarathinam

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the Respondents 1 and 2 to give adequate police protection to the life and limb of the Petitioner and also for surveying the land.

For Petitioner	: Mr.C.Jeya Prakash
For R1 & R2	: Mr.M.Veeranthiran
	Government Advocate (Crl.side)



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ORDER

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The learned Counsel for the Petitioner submits that there was civil dispute between the Petitioner and the third Respondent. The Petitioner herein had filed a suit in O.S.No.27 of 2014 on the file of the learned District Munsif, Uthamapalayam. After due trial, the learned District Munsif by judgment dated 11.08.2021 decreed the suit for declaration and injunction. It is his further submission that the suit was filed for declaration of title and injunction. The learned District Munsif had granted the decree for the property declaring title to the property of the Petitioner in Natham S.No.175, Ward No.22, Old Ward No.10, Chinnamanur Town with specific boundaries on all the four sides.

2.While so, the Petitioner wanted to utilize the services of the Revenue Officials and Survey Officials to survey the property as per the decree. It is his further submission that the third Respondent had preferred an appeal against the judgment of the learned District Munsif. Subsequently, he had withdrawn the appeal. The decree of dismissal of the learned Subordinate Judge, Uthamapalayam, is also enclosed in the typed



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set of papers by the learned Counsel for the Petitioner. Subsequent to the same, the Petitioner herein as decree holder had approached the Taluk Surveyor for survey of the lands, as per decree, for which the third Respondent objected to. Therefore, he sought police protection for the Surveyor's visit and survey of the lands.

3.The learned Government Advocate (Crl.side), on instructions of the Respondents 1 and 2, would submit that C.P.No.G2/262/13512/2023 was registered, in which both the parties appeared. Since the parties submitted that they will proceed as per the civil Court decree, the case was closed.

4.Accordingly, the Petitioner is directed to approach the very same Court, which granted the decree, to enforce the decree through Execution Petition for contempt of the Respondents. The Respondent Police is directed to enforce the decree, if the civil Court granted the decree directing the Respondent police to enforce the decree.



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With the above directions, this Criminal Original Petition is disposed

of.

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Internet: Yes./No

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Index: Yes/No

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To

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



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SATHI KUMAR SUKUMARA KURUP, J.

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