



Crl.O.P.(MD)No.8246 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2024

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD) No.8246 of 2023

T.Kaleeshwaran

... Petitioner

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul.

2. The Inspector of Police,
Ammayanaickanur Police Station,
Dindigul District.

3. Ramasamy

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the second respondent to provide adequate police protection to the life and limbs of the petitioner for fencing his land which is situated in Survey No.127/14A, Old Patta No. 1412 with an extent about 43 cents in pallapatti village, Nilakottai Taluk, Dindigul District.

For Petitioner : Mr.A.Abdul Kabur

For Respondents : Mr.S.Ravi
Additional Public Prosecutor
for R1 & R2
Mr.J.Barathan for R3



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ORDER

This petition has been filed seeking for a direction to the respondent police to provide police protection.

2. When the matter came up for hearing on 10.08.2023, this Court passed the following order:

“This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking for a direction to the respondent No.1 police to provide protection at the time of fencing the land belonging to the petitioner.

2. According to the learned counsel for the petitioner, the property originally belonged to the grandfather of the petitioner's mother and after the death of the petitioner's mother's grandfather, the property fell to the petitioner's mother's grandmother and the respondent No.3, who is noway connected to the said property, has filed a suit in O.S.No.24 of 2015 on the file of the District Munsif,



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Nilakottai seeking declaration of title and for permanent injunction and the said suit was dismissed and aggrieved by the same, the respondent No.3 has preferred an appeal in A.S.No.26 of 2021 and the same was also dismissed on 09.02.2023.

3. It is submitted further that after closure of the litigation before the civil Court, the petitioner intends to fence the land, but the respondent No.3 without any right whatsoever is obstructing for the same.

4.The learned counsel for the respondent No.3 submits that he has not received the copies of the typed set of papers and therefore, requested some time to file counter. List on 04.09.2023 for filing counter on behalf of the respondent No.3”

3. When the matter was taken up for hearing today, it was brought to the notice of this Court that the private respondent has now filed a petition for restoring the appeal which was dismissed on 09.02.2023 and the same is pending.



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4. In view of the above, subject to the final result of the civil proceedings, it is left open to the petitioner to revive his claim seeking for police protection.

5. This Criminal Original Petition is disposed of in the above terms.

15.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PKN

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul.

2. The Inspector of Police,
Ammayanaickanur Police Station,
Dindigul District.

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

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N.ANAND VENKATESH,J.

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