



*Crl.O.P.(MD)No.13589 of 2024*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2024

CORAM

**THE HON'BLE MR.JUSTICE K.MURALI SHANKAR**

Crl.O.P.(MD)No.13589 of 2024

Mala

... Petitioner

Vs.

1.The Superintendent of Police,  
Ramanathapuram District.

2.The Inspector of Police,  
Thiruvadanai Police Station,  
Ramanathapuram District.

3.Subramanian

... Respondents

**PRAYER :** Criminal Original Petition filed under Section 528 of BNSS, to direct the respondents 1 and 2 and their subordinate to give adequate police protection for the petitioner for the life and limb of the petitioner for doing plastering works in the wall as per civil court decree in O.S.No. 53 of 2003 by the District Munsif Court, Thiruvadanai dated 09.11.2009 by considering the representation dated 02.07.2024 in CSR No.321 of 2024 dated 03.08.2024.



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For Petitioner : Mr.D.Venkatesh  
For R1 & R2 : Mr.P.Kottai Chamy  
Government Advocate (Crl. Side)  
For R3 : M/s.J.Madhu

### **ORDER**

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the respondents 1 and 2 and their subordinate to give adequate police protection for the petitioner for the life and limb of the petitioner for doing plastering works in the wall as per civil court decree in O.S.No.53 of 2003 by the District Munsif Court, Thiruvadanai dated 09.11.2009 by considering the representation dated 02.07.2024 in CSR No.321 of 2024 dated 03.08.2024.

2. The learned counsel appearing for the petitioner would submit that the petitioner has sought for police protection in pursuance of the decree obtained by him.

3. The learned counsel appearing for the third respondent would submit that subsequent to the decree, the petitioner had demolished a wall and constructed a new wall and that therefore the decree stated by



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the petitioner cannot be made applicable for the present police protection petition.

4. The learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2, on instructions from the concerned police, would submit that the petitioner has constructed a new wall. Moreover on the basis of the complaint given by the petitioner, the respondent police has conducted enquiry and since both the parties informed that they would sort out their issues through the Court proceedings, the same was ordered to be closed and has also filed the statement given by the petitioner.

5. Since there existed disputes with regard to the disputed wall whether it is old wall or new wall, this Court in the present petition cannot decide about the said issue. Hence, this Criminal Original Petition stands disposed of. The parties are at liberty to approach the competent civil Court.

**01.10.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
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**K.MURALI SHANKAR,J.**

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To

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

Order made in  
Crl.O.P.(MD)No.13589 of 2024

Dated: 01.10.2024