



CRL OP NO. 29351 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07-01-2025**

CORAM

THE HONOURABLE MR JUSTICE P. VELMURUGAN

CRL OP No. 29351 of 2024

Ramayee

Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by its Inspector of Police,
Velagoundampatti Police Station,
Namakkal.

2. Kandasamy

3. Ramayee

4. K.Ravichandran

Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the first respondent to provide adequate and appropriate police protection to the petitioner, in respect to the land, to an extent of Ac.1.60 Cents, comprised in Survey Numbers 85/2A and 85/4D, in Mitta Aniyar Village, Namakkal District, as per the Decree and Judgment, dated 28.07.2020, rendered in A.S.No.103 of 2017, on the file of Principal Subordinate Judge, Namakkal, by considering the complaints dated 23.08.2024 and 04.10.2024, made by the petitioner to the first respondent.



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For Petitioner: Ms.Elizabeth Ravi

For Respondents: Mr.S.Sugendran, (for R1)
Additional Public Prosecutor
Mr.S.Viswananthan for
M/s.Dass & Viswa Associates (for R2)

ORDER

This Criminal Original Petition has been filed to direct the first respondent to provide adequate and appropriate police protection to the petitioner's land, to an extent of Ac.1.60 Cents, comprised in Survey Numbers 85/2A and 85/4D, in Mitta Aniyar Village, Namakkal District, as per the Decree and Judgment, dated 28.07.2020, rendered in A.S.No.103 of 2017, on the file of Principal Subordinate Judge, Namakkal, by considering the petitioner's complaints dated 23.08.2024 and 04.10.2024.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the official respondent, the learned counsel appearing for the respondents 2 to 4 perused the materials available on record.



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3. The petitioner filed a suit in O.S.No.362 of 2009 on the file of the Additional District Munsif Court, Namakkal as against the respondents 2 and 3 herein, for the relief of declaration and injunction and the same was decreed in favour of the petitioner. Aggrieved over the same, the abovesaid respondents filed an Appeal in A.S.No.103 of 2017 on the file of the Principal Subordinate Court, Namakkal and the same was also dismissed on 28.07.2020. Hence the private respondents tried to interfere with the possession and enjoyment of the petitioner. Though the petitioner obtained decree in her favour, she is unable to enjoy the fruits of the decree. Hence, the petitioner has given representation before the respondent Police to provide adequate police protection to the petitioner's land.

4. Learned counsel for the second respondent submitted that the private respondents had preferred Second Appeal in S.A.No.26 of 2023 before this Court, as against the order of the appellate court and the same is still pending.



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5. Considering the submissions made by the learned counsel on either side, the dispute between the parties is civil in nature and also that the matter is pending before this Court, the parties are at liberty to workout their remedy in the pending Second Appeal.

6. With the abovesaid direction, this Criminal Original Petition is disposed of.

07.01.2025

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The Inspector of Police,
Velagoundampatti Police Station,
Namakkal.
2. The Public Prosecutor,
High Court, Chennai.



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P.VELMURUGAN, J.

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