

Crl.O.P.(MD)No.677 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2025

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THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD)No.677 of 2025

Sri Priya

.. Petitioner

Vs.

1. The Superintendent of Police
Pudukottai District
Pudukottai
2. The Tahsildhar
Alangudi Taluk
Pudukottai District
3. The Inspector of Police
Keeramangalam Police Station
Pudukottai District
4. The Taluk Surveyor
Alangudi Taluk, Pudukottai District
5. Nishanthi

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, directing the respondents 1 and 3 to provide adequate police protection based on the petitioner's representation dated 14.12.2024.



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For Petitioner : Mr.D.Ramesh Kumar
For Respondent : Mr.R.M.Anbunithi
No.1 to 4 Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondents 1 and 3 to provide adequate police protection to the petitioner based on the petitioner's representation dated 14.12.2024.

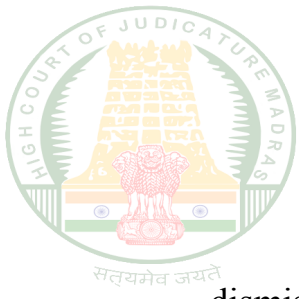
2. The learned counsel appearing for the petitioner would submit that the petitioner's mother was enjoying the property in S.No.62/8C at Seriyalur Inam Village, Alangudi Taluk. Thereafter she executed gift deed in favour of her daughter and grand son through gift deed dated 01.12.2023 and thereafter revenue records were also mutated. Now in order to fence the property the petitioner approached the fourth respondent and while surveying the property the fifth respondent caused hindrance and claiming right over the property. Therefore the petitioner had sent a communication dated 05.11.2024 to the respondents 1 and 3 to provide police protection to survey the land. Since they have not provided police protection the present petition has been filed.



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3. The learned Additional Public Prosecutor appearing for the respondents 1 to 4 would submit that already there are so many cases pending against the petitioner's mother and based on the complaint given by the fifth respondent they conducted enquiry and the same was also closed and advised them to approach the civil court to establish their rights.

4. This Court has perused the entire records. Even according to the petitioner as per the averment made in the petition, the fifth respondent caused hindrance by claiming right over the property and therefore there is a dispute in respect of title over the property and without deciding the rights of the parties over the property this Court cannot come to any conclusion to grant any relief to the petitioner. Further it is settled law that for property dispute without any valid decree the police protection cannot be granted. In the case on hand also the dispute is with regard to title between the parties and thereby it is not appropriate to allow this petition.



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5. In view of the same, this Criminal Original Petition stands dismissed, however the petitioner is at liberty to work out his remedy in respect of title of the property in the manner known to law. Since this Court has not passed any adverse order as against the fifth respondent no notice is necessary.

04.02.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Superintendent of Police
Pudukottai District
Pudukottai
2. The Tahsildhar
Alangudi Taluk
Pudukottai District
3. The Inspector of Police
Keeramangalam Police Station
Pudukottai District
4. The Taluk Surveyor
Alangudi Taluk, Pudukottai District
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL,J.

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