



CrI.O.P(MD)No.3701 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.02.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CrI.O.P(MD)No.3701 of 2025

P.Thangapandiyan

... Petitioner

Vs

1. The State of Tamilnadu,
Rep. by the Superintendent of Police,
Madurai District,
Madurai.

2. The Deputy Superintendent Of Police,
Peraiyur Sub Division, Peraiyur,
Madurai.

3. The Inspector of Police,
Saptur Police Station,
Madurai District.

4. T. Karuppasamy

... Respondents

PRAYER: Criminal Original petitions have been filed under Section 528 of BNSS to direct the respondent police to provide adequate police protection to the petitioner's life and limb as claimed in representation, dated 30.01.2025 on the file of the 3rd respondent police.

For Petitioner : Mr.G.Sakthi Rao

For R1 to R3 : Mr.R.M.Anbunithi



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Additional Public Prosecutor

For R4

: Mr.M.Gnanagurunathan

ORDER

This criminal original petition has been filed seeking a direction to the respondent police to provide adequate police protection to the petitioner's life and limb as claimed in representation, dated 30.01.2025 on the file of the 3rd respondent police.

2.According to the petitioner, the property in S.F.No.113/2A at Lakshminarayanapuram, Vanderi Village, Peraiyur Sub Division, Madurai District belongs to the petitioner's wife one Ramalakshmi. Since the 4th respondent had attempted to encroach the property, the petitioner has filed a suit in O.S.No.125 of 2017 on the file of District Munsif cum Judicial Magistrate, Peraiyur and the same was decreed in favour of the petitioner. Now the 4th respondent is interfering with the possession and enjoyment of the petitioner by parking the vehicle in front of his property. Therefore, the petitioner has sent a representation before the 3rd respondent on 30.01.2025, but the same has not been considered. Hence, this writ petition has been filed.



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3.The learned Additional Public Prosecutor appearing for the respondents would submit that they have received the representation of the petitioner, assigned CSR No.58 of 2025 and after enquiry, the same was closed. Therefore, nothing survives for further adjudication.

4.The learned counsel appearing for the 4th respondent would submit that 4th respondent is the owner of the property. He has purchased the same from its original owners. He has also filed a suit in O.S.No.40 of 2017 and the same is also pending.

5.Heard the learned counsel on either side and perused the materials available on record.

6.Since both parties are claiming title over the property, the petitioner has already got a decree in his favour and the 4th respondent has also filed a suit, the competent Civil Court has to decide the issue between the parties. Till such time, police protection cannot be given to the parties.



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At the same time, if any criminal activity is done by anybody, both parties can approach the respondent police and seek remedy.

7. With the aforesaid observations and directions, this Criminal Original Petition stands disposed of.

27.02.2025

Internet : Yes
Index : Yes/No
NCC : Yes/No
PNM

To

1. The State of Tamilnadu,
Rep. by the Superintendent of Police,
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Madurai.
2. The Deputy Superintendent Of Police,
Peraiyur Sub Division, Peraiyur,
Madurai.
3. The Inspector of Police,
Saptur Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P. DHANABAL, J.

PNM

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