



Crl.O.P(MD)No.7743 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.7743 of 2025

H.Pushpavanam

... Petitioner

Vs

1. The State of Tamilnadu,
Rep By,
The Commissioner of Police,
Police Commissioners Office,
Near Thamarai Thotti,
Alagarkovil Road,
Madurai - 2.

2. The Inspector of Police,
S.S.Colony Police Station,
Madurai.

3. Subetha Begam

... Respondents

PRAYER: Criminal Original petition has been filed under Section 528 of BNSS to pass an order to the respondents 1 and 2 to give adequate police protection to petitioner and his family members life and limb and to lay fence in the S.No.6/1B5 in Plot No.17 based on the representation on 29.3.2025 on the judgment of the O.S.No.57 of 2010 and 57 of 2019 dismissal order by the Principal District Munsif Court, Madurai.



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For Petitioner : Mr.R.Ramasamy,

For R1 and R2 : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking a direction to the respondents 1 and 2 to give adequate police protection to the petitioner and his family members life and limb and to lay fence in the S.No.6/1B5 in Plot No.17 based on the representation on 29.3.2025 and on the basis of the judgment rendered in O.S.Nos.57 of 2010 and 57 of 2019 by the Principal District Munsif Court, Madurai.

2.The learned Counsel for the petitioner would submit that the petitioner is the owner of the property and he is a senior citizen. There was a dispute between the petitioner and the third respondent in respect of the subject property and thereby, suits have been filed by the third respondent and her husband in O.S.Nos.57 of 2010 and 57 of 2019



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respectively, before the Principal District Munsif Court, Madurai and both the suits were dismissed. While so, the third respondent frequently harassing the petitioner by interfering with the petitioner's peaceful enjoyment of the property. When the petitioner tries to fence the land, the third respondent unnecessarily caused obstruction, thereby, the petitioner sent the representation to the second respondent and the same has not been considered. Hence this petition.

3.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the petitioner sent the representation through postal and thereafter, he has not appeared for enquiry. If the petitioner appears and produces the relevant documents, they will consider and take appropriate action, in accordance with law.

4.Considering the limited scope of the prayer sought for in this petition, this Court, without even issuing notice to the private respondent, is inclined to pass order.

5.According to the petitioner, the third respondent frequently harassing the petitioner by interfering with the petitioner's peaceful



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enjoyment of the property and when the petitioner tries to fence the land, the third respondent unnecessarily caused obstruction from fencing the property, thereby, the petitioner sent the representation to the second respondent and the same has not been considered. The second respondent also admitted the receipt of the petitioner's representation, however, the petitioner has not appeared for enquiry and not produced relevant documents.

6.Recording the same, the petitioner is directed to appear before the second respondent on **26.05.2025** along with relevant records and thereafter, the second respondent shall consider the representation and take appropriate action, in terms of the judgment and decree passed by the civil Court, in accordance with law, after affording opportunity to both the parties.

7.With the above direction, this Criminal Original Petition is disposed of.

28.04.2025

Internet :Yes
Index :Yes/No



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NCC :Yes/No

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To

1. The State of Tamilnadu,
Rep By,
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Police Commissioners Office,
Near Thamarai Thotti,
Alagarkovil Road,
Madurai - 2.

2. The Inspector of Police,
S.S.Colony Police Station,
Madurai.

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



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P. DHANABAL, J.

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