

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.27445 of 2015

T.Sathiya

... Petitioner

Vs

1. The Deputy Inspector General of Police,
Office of the Deputy Inspector General Police,
Villupuram.
2. The Superintendent of Police,
Office of the Superintendent Police,
Cuddalore District,
Cuddalore.
3. The State Rep. by
Inspector of Police,
V1 kadampuliyur, Panruti Taluk,
Cuddalore District.
4. A.Gothandapani
5. Sarangapani
6. Varatharajan
7. K.Kamalakannan

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 3rd respondent to provide necessary police protection to the petitioner for the purpose of putting up barbed wire fencing in her property situated at Meliruppur Village, Keeliruppu Post, Panruti Taluk, bearing the survey No.84/4, 155/1B to an extent of 90 cents.

For Petitioner : Mr.P.G.Perumal Pandian
For respondents : Mr. C.Emalias,
Additional Public Prosecutor
For respondents 1 to 3.

O R D E R

The present criminal original petition has been filed seeking a direction to the third respondent police to provide necessary police protection to the petitioner for the purpose of putting up barbed wire fencing in her property situated at Meliruppur Village, Keeliruppu Post, Panruuti Taluk, bearing the survey No.84/4, 155/1B to an extent of 90 cents.

2. In the petition, it is stated that the petitioner has acquired the land situated in Survey No.84/4, 155/1B to an extent of 30 cents out of 90 cents, situated at Meliruppu, Keeliruppu post, Panruuti Taluk, Cuddalore District, by means of a registered settlement deed executed by her mother dated 17.12.2008 vide document no.3327 of 2008. She has filed W.P.No.3779 of 2015 praying to conduct re-survey and fix boundary stones in her property and the same was ordered on 16.02.2015. As per the said order, the Deputy Surveyor attached to the office of the Tahsildar, Panruuti, has completed survey in the petitioner's property on 23.04.2015. In spite of which, the respondent 4 to 7, who are the owners of the adjacent property prevented the petitioner from putting up fresh barbed wire fencing in his property and A.Gothandapani, the 4th respondent herein, has filed a suit in O.S.No.347 of 2015 against the petitioner for declaration of title over the said property and permanent injunction in Survey No.155/11. Under the said circumstances, the petitioner made a representation on 12.10.2015 for police protection with regard to putting up barbed wire fence. But, the respondent police has not considered her representation. Hence, the petitioner has come forward with the present petition.

3. Though notice was served on the respondents 4 to 7 and their names were printed in the cause list, they have not chosen to appear before this court either in person or through counsel.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 to 3.

5. Considering the facts and circumstances of the case, this Court directs the petitioner to give a fresh representation to the third respondent along with a copy of this order, within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the third respondent is directed to consider the same, in accordance with law, by offering personal hearing to the petitioners as well as to other necessary parties and pass an appropriate order with regard to necessary police protection within a period of three weeks from the date of receipt of a copy of this order. During the course of enquiry, if there is any civil dispute, the third respondent can pass an appropriate order, advising the party, accordingly.

6. The criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

mrp

To

1. The Deputy Inspector General of Police,
Office of the Deputy Inspector General Police,
Villupuram.
2. The Superintendent of Police,
Office of the Superintendent Police,
Cuddalore District,
Cuddalore.

3. The Inspector of Police,
V1 kadampuliyur, Panruti Taluk,
kadampuliyur, Panruti Taluk,
Cuddalore District.

4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.P.G.Perumal Pandian, Advocate, S.R.No.67956

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SV(CO)
CA(04/01/2016)



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