

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2016

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

Crl.O.P.No.1142 of 2016

J.Y.Venkatesh

... Petitioner

Vs.

1. The Superintendent of Police,
Krishnagiri District, At Krishnagiri.

2. The Inspector of Police,
Bhagalur Police Station,
Krishnagiri District.

... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondents' police to provide adequate police protection to the petitioner's life and property situated in Survey No.53/1, Dry Extent 1.62 acres out of which 0.95 acres along with the well and electrified pump set, Kakkanoor Village, Hosur, Krishnagiri District pursuant to the order of the civil court in O.S.No.346/1986 passed by the Learned District Munsif, Hosur dated 20.11.1998, on the light of the G.O.Ms.No.1580, Home (POL.VII) Department dated 24.11.2008 and the same was also observed in Crl.O.P.No.10920/2014 dated 29.04.2014 passed by this Hon'ble Court.

For Petitioner : Mr.M.V.Muralidharan

For Respondents: Mr.C.Emalias

Additional Public Prosecutor

ORDER

This petition is filed praying for a direction to the respondent police to provide adequate police protection to the petitioner's life and property situated in Survey No.53/1, Dry Extent 1.62 acres out of which 0.95 acres along with the well and electrified pump set, Kakkanoor Village, Hosur, Krishnagiri District pursuant to the order of the Civil Court in O.S.No.346 of 1986 passed by the Learned District Munsif, Hosur dated 20.11.1998, in the light of the G.O.Ms.No.1580, Home (POL.VII) Department, dated 24.11.2008 and the same was also observed in Crl.O.P.No.10920 of 2014 dated 29.04.2014 passed by this Court.

2. In the petition it is stated that there was a civil dispute between the petitioner and one J. Ramiah, R. Munivenkatappa, R. Ellappa, R. Prakash and Krishnapa and hence, the petitioner preferred a suit in O.S.No.346 of 1986 against the above said persons before the learned District Munsif Court, Hosur for bare injunction and the suit was decreed in his favour on 20.11.1998. As against the said decree, no appeal was preferred and it attained its finality. Whiles, the above said persons are purposefully restraining the petitioner from cultivating his agricultural landed property situated in Survey No.53/1, Kakkanoor Village, Hosur, Krishnagiri District. Hence, the petitioner lodged a complaint before the respondents police, wherein, he has also sought for police protection. Since the said complaint cum representation was not considered, the petitioner has come forward with this petition.

3. Heard the learned Additional Public Prosecutor.

4. In view of the submissions made on either side, this Court without going into the merits of the claim made by the petitioner, directs the petitioner to give a fresh representation along with a copy of this order to the respondents police within a period of one week from the date of receipt of a copy of this order and the second respondent police on receipt of the same is directed to conduct enquiry on the same and pass appropriate orders with regard to providing of police protection to the petitioner's life and property situated in Survey No.53/1, Kakkanoor Village, Hosur, Krishnagiri District pursuant to the order of the Civil Court in O.S.No.346 of 1986 passed by the Learned District Munsif, Hosur dated 20.11.1998, after affording opportunity of personal hearing to the petitioner as well as to all the necessary parties, within a period of four weeks thereafter.

5. With the above observation, this Criminal Original Petition is disposed of.

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-s/d-

Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Krishnagiri District,
At Krishnagiri.

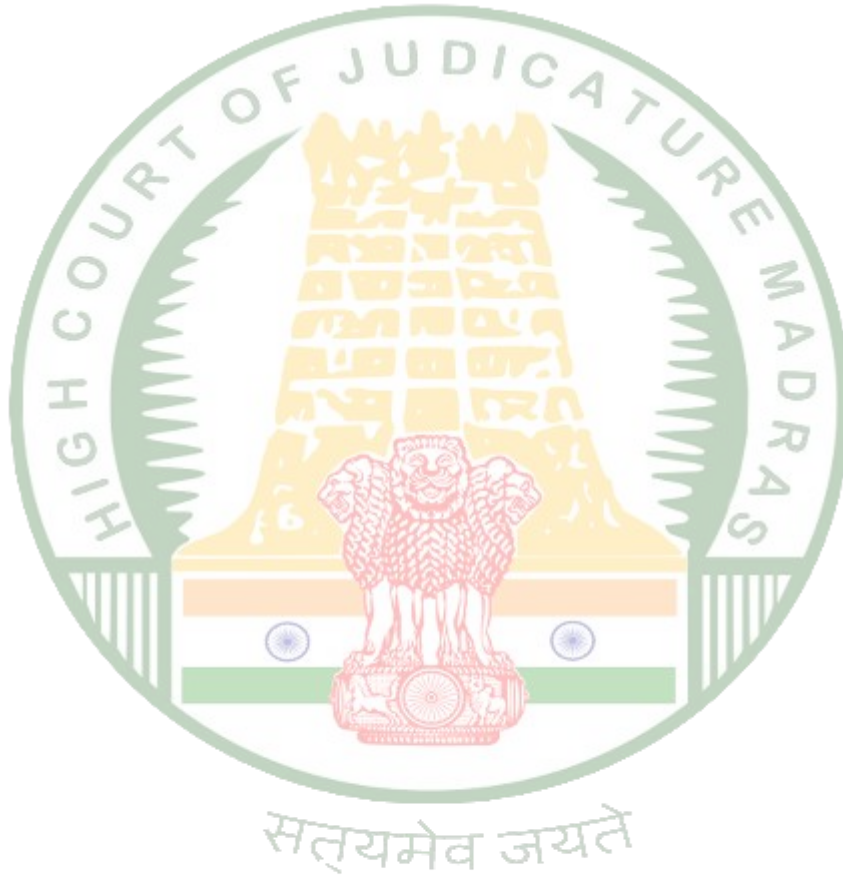
2. The Inspector of Police,
Bhagalur Police Station,
Krishnagiri District.

3. The Public Prosecutor
High Court, Madras.

+ 1 cc to Mr.M.V.Muralidharan, Advocate SR 3901

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