



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2016

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

CrI.O.P.(MD) No.19071 of 2016

Thiraviam

: Petitioner

-Vs-

1.The Superintendent of Police,
Dindigul District.

2.The Deputy Superintendent of Police,
Dindigul Rural, Dindigul District.

3.The Inspector of Police,
Ambathurai Police Station,
Dindigul District.

4.Amalorpavam

5.John

6.Andrews

: Respondents

Prayer: Petitions filed under Section 482 of Code of Criminal Procedure, to direct the respondents 1 to 3 to give adequate police protection to the petitioner for fencing her land to an extent of 4-1/2 cents situated on the southern side in Survey No.121/10 and another 4-1/2 cents situated on the southern side in Survey No.121/11, totally 9 cents situated at N.Panjampatti Village, Aathur Taluk, Dindigul District and pass such further orders.

For Petitioner

: Mr.D.Venkatesh

For Respondents

1 to 3

: Mr.K.Anbarasan

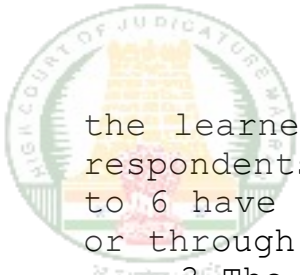
Government Advocate
(Criminal side)

ORDER

This petition is filed for direction to the respondents 1 to 3 to give adequate police protection to the petitioner, for fencing her lands comprised in Survey Nos.121/10 and 121/11, totally 9 cents situated at N.Panjampatti Village, Aathur Taluk, Dindigul District.

<https://hcservices.ecourts.gov.in/hcservices/>

2.Heard the learned counsel appearing for the petitioner and



the learned Government Advocate (Criminal side) appearing for the respondents 1 to 3. Despite service of notice, the respondents 4 to 6 have not chosen to appear before this court, either in person or through counsel.

3. The case of the petitioner is that she purchased 4-1/2 cents in Survey No.121/10 and another 4-1/2 cents in Survey No.121/11 at N.Panjampatti Village, by a registered sale deed, dated 13.01.2006. Since then, she has been in possession and enjoyment of the same. While so, the respondents 4 to 6 herein have attempted to interfere with the peaceful possession and enjoyment of the property, which necessitated the petitioner to file a suit in O.S.No.103 of 2012 before the Principal District Munsif, Dindigul. The suit was decreed on 20.06.2012. Thereafter, the respondents 4 to 6, neither filed any appeal nor a petition to set aside the ex-parte decree. So, as per the civil court decree, the petitioner is entitled to put up fencing in her land. But the 3rd respondent is not providing police protection.

4. The learned counsel appearing for the petitioner would submit that the petitioner approached the 3rd respondent seeking police protection to fence her property, based on the sale deed and the civil court decree, however, the representation/petition was not considered by the 3rd respondent. Hence, the petitioner is before this court.

5. The learned Government Advocate (Criminal side), on instructions, would submit that if the petitioner approaches the 3rd respondent with necessary documents, the 3rd respondent police is ready to give police protection.

6. Considering the rival submissions, this petition is disposed of with a direction to the petitioner to approach the 3rd respondent police with all necessary documents and on such production, the 3rd respondent shall consider the petitioner's representation and take appropriate action, in accordance with law.

Sd/-

Assistant Registrar(CRL)

/True Copy/

Sub Assistant Registrar

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To,

1. The Superintendent of Police,
Dindigul District.



2.The Deputy Superintendent of Police,
Dindigul Rural, Dindigul District.

3.The Inspector of Police,
Ambathurai Police Station,
Dindigul District.

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

+1cc to Mr.D.Venkatesh,Advocate Sr.No. 63522

JAM/11.11.16/GSV-PM/3p-6c

Cr1.O.P.(MD) No.19071 of 2016

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