

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.O.P.No.7395 of 2017

S.Paramasivam

... Petitioner

Vs

1. The Superintendent of Police,
O/o.the District Superintendent of Police,
Salem District,
Salem.

2. The Inspector of Police,
Kolathur Police Station,
Kolathur, Mettur Taluk,
Salem District.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C to direct the second respondent police to grant police protection to the petitioner for cultivating the lands of the petitioner and also did not action against the said accused persons on the complaint given by the petitioner dated 19.09.2015, 07.03.2017 and 06.04.2017 and consequently take action as per law against the accused persons.

For Petitioner : Mr.M.Senthilkumar

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the second respondent police to grant police protection to the petitioner for cultivating his lands and also take action against the persons mentioned in the complaints dated 19.09.2015, 07.03.2017 and 06.04.2017 given by the petitioner, as per law.

2. It is the case of the petitioner that he is the owner of the lands in S.Nos.392/3 and 392/4 measuring to an extent of 1.61 cents situated at Palamalai Village Panchayat,

Kolathur Union, Mettur Taluk, Salem District by way of purchase bearing Document No.883 of 2015 on the file of the Sub Registrar, Mettur/Kolathur dated 26.06.2015. After purchase, he started to cultivate the lands without any hindrance. While so, on 19.09.2015, one Vellaiyan S/o.Perumal and others, who are the neighbours of the petitioner's property, were trying to forcibly trespass into the lands of the petitioner and prevent him from cultivating the lands. Immediately, the petitioner filed a complaint dated 19.09.2015 before the second respondent requesting to take action against the said persons and grant police protection for cultivating his lands. Since no action has been taken on the said complaint, the persons mentioned in the complaint, frequently caused disturbance and hindrance to the petitioner for cultivating his lands. Hence, the petitioner made further complaints dated 07.03.2017 and 06.04.2017 to the respondents, seeking police protection and take appropriate action against the persons concerned. However, all the complaints are pending without any action. Therefore, he has come up with the present petition for the above stated relief.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for respondents, who has no serious objection in directing the respondent police to dispose of the complaints of the petitioner.

4. Considering the facts and circumstances of the case and taking note of the submissions made on either side, this Court directs the second respondent to consider the latest complaint of the petitioner dated 06.04.2017 seeking police protection to the petitioner for cultivating the lands belonging to him and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as to all the necessary parties. Such exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

5. Accordingly, the criminal original petition is disposed of.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
O/o.the District Superintendent of Police,
Salem District,
Salem.
2. The Inspector of Police,
Kolathur Police Station,
Kolathur, Mettur Taluk,
Salem District.
3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.7395 of 2017

SKS (CO)
CA(05/07/2017)



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