

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

CrI.O.P.No.23348 of 2017

C.Muthusamy

... Petitioner

Vs.

1. The Superintendent of Police,
Namakkal District,
Namakkal.
2. The Deputy Superintendent of Police,
Rasipuram Police Sub-Division,
Rasipuram,
Namakkal District.
3. The Inspector of Police,
Rasipuram Police Station,
Rasipuram,
Namakkal District.
4. The Village Administrative Officer,
R - Pudupalayam Village,
Rasipuram Taluk,
Namakkal District.

5. Mr.Sundaram
(R4 and R5 are impleaded as per the
order of this Court dated 16.11.2017
made in CrI.M.P.No.14353 of 2017
in CrI.O.P.No.23348 of 2017)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondents herein to give adequate police protection to the petitioner and his workmen during the fencing work at his land in S.No.59/10, R.Pudupalayam Village, Rasipuram Taluk, Namakkal District based on the petitioner's application dated 21.10.2017.

For Petitioner	: M/s.M.R.Jothimanian
For Respondents	: Mr.C.Iyyappa Raj
	Additional Public Prosecutor for R1 to R4

O R D E R

The prayer in the present petition is for extending police protection to the petitioner for fencing his land bearing Survey No.59/10, R.Pudupalayam Village, Rasipuram Taluk, Namakkal District.

2. It is seen that the petitioner had the benefit of judgment and decree of the Civil Court dated 05.10.2009 passed in O.S.No.165 of 2005, which has been confirmed in the judgment and decree made in A.S.No.20 of 2010 dated 18.09.2010. Apart from that, another judgment in O.S.No.83 of 2013 dated 23.11.2015 is also in his favour as against the respondents 3 & 4 herein. In spite of having Civil Court's judgment and decree in favour of the petitioner, the respondents 3 & 4 herein are obstructing him from fencing his subject land. Hence, it would be appropriate to extend the police protection.

3. In the result, the petitioner is granted liberty to approach the third respondent seeking police protection for fencing his land situated in Survey No.59/10, R.Pudupalayam Village, Rasipuram Taluk, Namakkal District and on receipt of such representation, the third respondent shall consider the same in the light of the above observations and the judgment and decree of the Civil Court and extend the necessary police protection to the petitioner. Such an exercise shall be completed within a period of 2 days from the date of receipt of a copy of this order.

The Criminal Original Petition stands allowed accordingly.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

dh

To

1. The Superintendent of Police,
Namakkal District,
Namakkal.
2. The Deputy Superintendent of Police,
Rasipuram Police Sub-Division,
Rasipuram,
Namakkal District.

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3. The Inspector of Police,
Rasipuram Police Station,
Rasipuram,
Namakkal District.

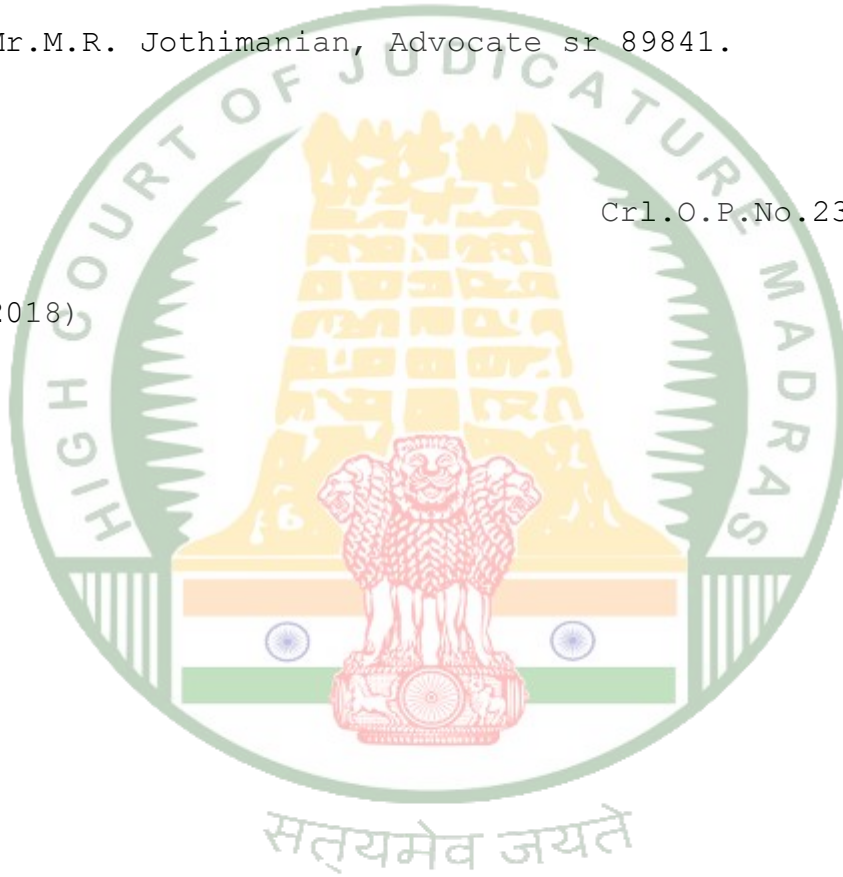
4. The Village Administrative Officer,
R - Pudupalayam Village,
Rasipuram Taluk,
Namakkal District.

5. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.M.R. Jothimanian, Advocate sr 89841.

Crl.O.P.No.23348 of 2017

SP(04/01/2018)



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