

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.25461 of 2017

K.Madulingam

... Petitioner

Vs.

1. The Superintendent of Police,
Salem District,
Salem.
2. The Deputy Superintendent of Police,
Mettur Police Sub-Division,
Mettur Dam,
Salem District.
3. The Inspector of Police,
Mecheri Police Station,
Mecheri,
Salem District.
4. Mr.Arumugam
5. Mr.Madhu
6. Mr.Azhagappan
7. Mr.Nallathambi
8. Mrs.Palaniammal

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondents 1 to 3 herein to give adequate police protection to the petitioner and his workmen during the fencing work at his land in S.No.5/2, (Now Sub-Divided into S.No.5/2A) of Pallipatti Village, Mettur Taluk, Salem District based on the petitioner's application dated 07.11.2017.

For Petitioner : M/s.M.R.Jothimanian

For Respondents : Mr.C.Iyyappa Raj
Additional Public Prosecutor for R1 to R3
Mr.B.Vasudevan for R4 to R8

O R D E R

It is submitted by the learned counsel for the petitioner that the petitioner herein has the benefit of the judgment and decree dated 25.02.1998 in O.S.No.626 of 1987, wherein the title property in Survey No.5/2, (Now Sub-Divided into S.No.5/2A) of Pallipatti Village, Mettur Taluk, Salem District came to be declared in petitioner's favour and the said judgment and decree has also become final. When the petitioner had attempted to fence his subject land pursuant to the above judgment and decree, there was certain obstructions from the respondents 4 to 8, owing to which the petitioner had approached the third respondent, seeking for protection. Since, the petitioner's representation was not considered by the respondent police, the petitioner has filed the present petition seeking police protection.

2. It is needless to point out that, whenever a complaint is made for police protection, wherein, the petitioner has obtained decretal order of Civil Court in his favour, it is the duty of the respondent police to extend protection for effective implementation of the Civil Court's order.

3. In the light of the above, the petitioner is granted liberty to approach the third respondent police, seeking for necessary protection for the purpose of fencing his land situated in Survey No.5/2, (Now Sub-Divided into S.No.5/2A) of Pallipatti Village, Mettur Taluk, Salem District. On receipt of such an application, the third respondent police shall extend the necessary protection for the purpose of fencing of petitioner's land. Such an exercise shall be completed within a period of 2 days from the date of receipt of a copy of this order.

With the above observations and directions, the Criminal Original Petition stands allowed accordingly.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Salem District,
Salem.

2. The Deputy Superintendent of Police,
Mettur Police Sub-Division,
Mettur Dam,
Salem District.

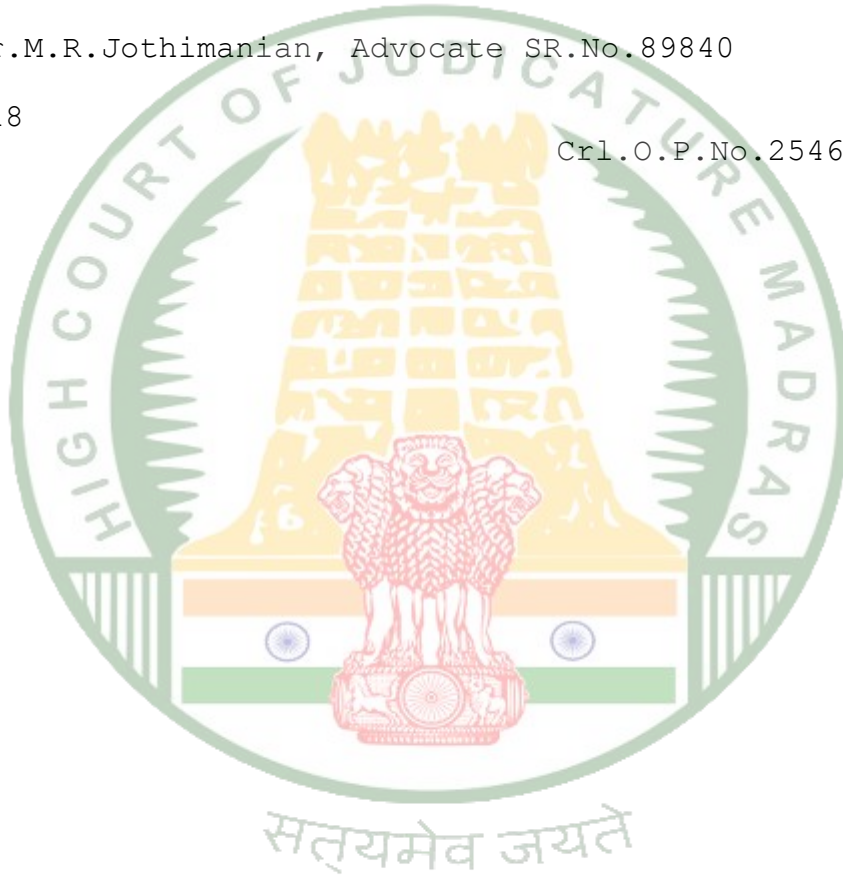
3. The Inspector of Police,
Mecheri Police Station,
Mecheri,
Salem District.

4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.R.Jothimanian, Advocate SR.No.89840

sm:9.1.2018

CrI.O.P.No.25461 of 2017



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