

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.10.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.9058 of 2016

P. Narayanasamy

... Petitioner

Vs.

State by

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

2.The Inspector of Police,
Mangalampettai Police Station,
Mangalampettai,
Virudhachalam Taluk,
Cuddalore District.

3.Marimuthu

4.Kannan

... Respondents

(Respondents 3 & 4 are impleaded
as per the order of this Court in
Crl.M.P.No.6536 of 2016 dated
17.06.2016)

PRAYER: Criminal Original Petition filed under Section 482
Cr.P.C. praying to direct the respondent police to give adequate
police protection to the petitioner for his life and properties
and for erecting fencing in his land on the basis of the
complaint lodged by the petitioner on 31.03.2016.

For Petitioner : Mr.C. Prakasam

For Respondents 1 & 2 : Mr.P. Govindarajan
Additional Public Prosecutor.

For Respondents 3 & 4 : Mr.D. Sivakumar

ORDER

The limited prayer sought in the petition for police
protection, for the purpose of fencing the petitioner's land.

2. According to the learned counsel for the petitioner, the

land in Survey No.24/5 in Mangalampettai Gramam, Kallakurichi District, belongs to the petitioner. The title over the said land has also been ratified by decree of the Civil Suit in O.S.No.67 of 1991 dated 18.06.2016 wherein the subject lands were declared to be that of the petitioner is as against the said decree. The respondents 3 and 4 herein have also filed an appeal which came to be dismissed. It is submitted that no further appeal has been filed as against the same.

3. It is needless to point out that if at all the petitioner apprehends disturbances from the third parties it is always open to the petitioner to approach the police authorities, on the basis of the decree obtained from the Civil Court. The respondent police are directed to consider the petitioner's request, in view of the Civil Court decree granted and for proper implementation of the same.

4. In the light of the above observations, the petitioner is granted liberty to approach the second respondent police with the representation seeking for protection for the fencing of the subject land and on receipt of such representation, the second respondent shall give due opportunity to the petitioner as well as the third and fourth respondents and pass appropriate orders on its own merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this Order.

5. With the above direction, the Criminal Original Petition stands closed.

Sd/-

Assistant Registrar(J)

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सत्यमेव जयते

Sub Assistant Registrar

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To

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

2.The Inspector of Police,
Mangalampettai Police Station,
Mangalampettai,
Virudhachalam Taluk,
Cuddalore District.

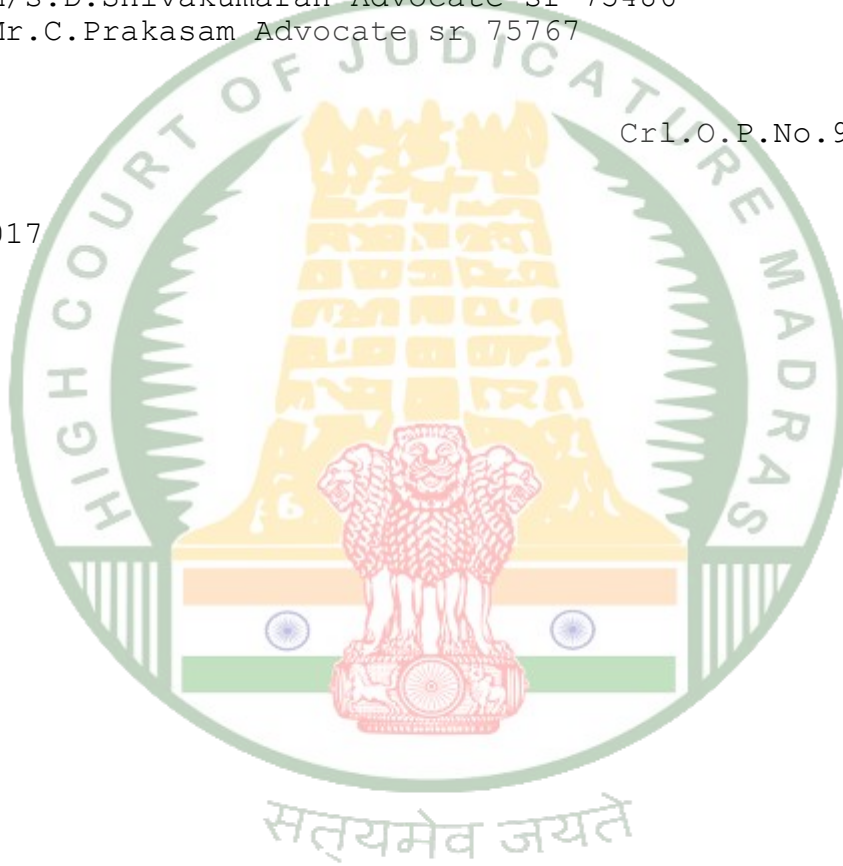
3.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.D.Shivakumaran Advocate sr 75486

+1 cc to Mr.C.Prakasam Advocate sr 75767

Crl.O.P.No.9058 of 2016

rk(co)
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