

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 28.03.2018
CORAM
THE HONOURABLE MR. JUSTICE M.S.RAMESH
Crl.O.P.No.20032 of 2017

Sundaramurthy

... Petitioner

Vs

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

2. The Inspector of police,
Ramanatham police Station,
Cuddalore District.

3. Mookan

4. Kannan

5. Aridass

6. Periyasamy

... Respondents

(RR3 to 6 are impleaded as per order
dated of this Hon'ble Court dated 28/02/2018
made in Crl.MP.No.14908/2017)

Prayer:Criminal Original Petition filed under Section 482
Cr.P.C. to direct the respondents to provide police protection
to the petitioner to survey the petitioner's land bearing Survey
No.4/1, 4/2 measuring about 3 acres 63 cents situated at
Mangalore village, veppur Taluk, Cuddalore District to secure
the ends of justice.

For Petitioner :Mr.M.Velmurugan

For Respondents1-2 :Mr.P.Kritika Kamal

Government Advocate(Criminal Side)

For Respondents3-6 :No appearance

ORDER

The petitioner submits that he is the absolute owner of the
patta land bearing Survey numbers 4/1 and 4/2, measuring about 3
acres 68 cents situated at Mangalore village, Veppur Taluk,
Cuddalore district, which is adjacent to the residence of the
respondents 3 to 6 herein. While so, the adjacent land owners
are creating problem with regard to the land mark and boundary
line of the petitioner's property. Hence the petitioner has
taken steps to survey his land. However, the same was objected
by the respondents 3 to 6 who are the adjacent land owners. In
this regard, the petitioner has given a representation dated
12.09.2017 to the respondents 1 & 2 to provide police
protection for the survey to be conducted. Since, the said
representation has not been considered till date, the petitioner

is before this Court.

2. Heard Mr. M. Velmurugan, learned counsel for the petitioner and Mrs.P.Kritika Kamal, learned Government Advocate (crl side) appearing for the first and second respondents.

3. Though notice has been served to the respondents 3 to 6, there is no representation on behalf of them.

4. It is submitted by the learned counsel for the petitioner that the respondents 3 to 6 have no right to object the survey being carried out.

5. The learned Government Advocate (crl side) submitted that during the last enquiry, the respondents 3 to 6 had given statement stating that the survey can be continued after the harvest. It is now submitted by the learned Government Advocate (crl side) that the harvest was completed and as such, there cannot be any objections from the respondents 3 to 6 for the purpose of conducting the survey.

5. In this background, the petitioner is directed to make a representation to the first respondent seeking necessary police protection and on such representation being made, the second respondent shall consider it on its own merits and pass appropriate orders within a period of two weeks from the date of receipt of such representation. Such an exercise shall be completed after giving due opportunity to the petitioner as well as the respondents 3 to 6 herein. In the light of the above observations made in this order this Criminal Original petition is ordered accordingly.

Sd/-

Assistant Registrar (CS IV)

//True Copy//

Sub Assistant Registrar

smn

To

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

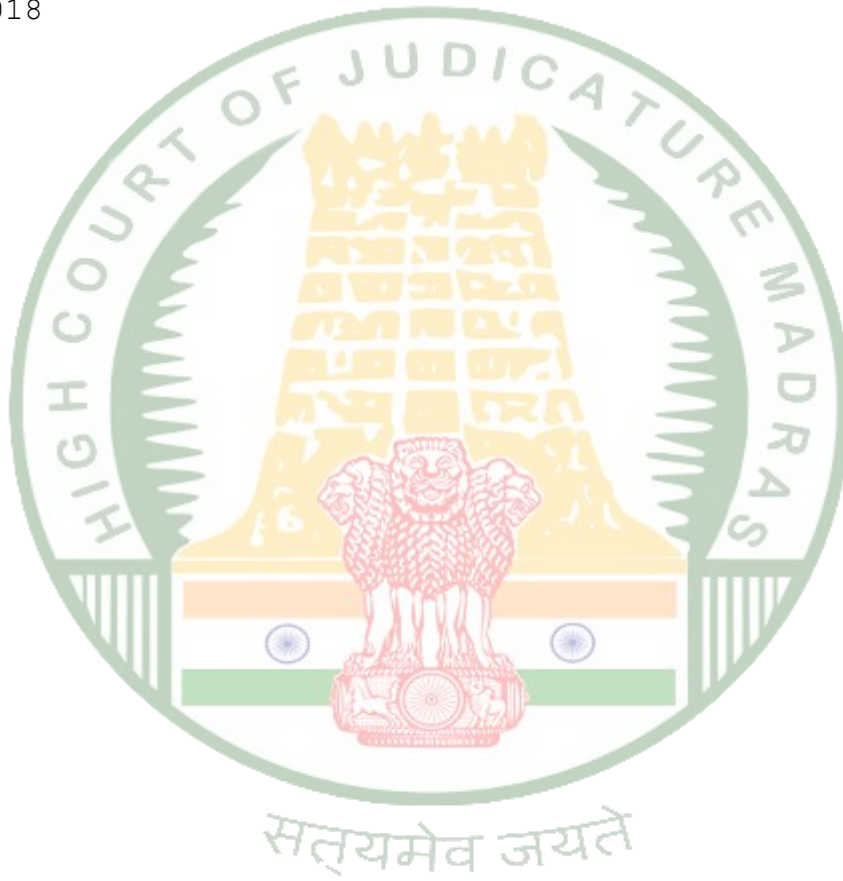
2. The Inspector of police,
Ramanatham police Station,
Cuddalore District.

3. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.M.Velmurugan Advocate sr 24228

Cr1.O.P.No.20032 of 2017

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