

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.08.2018

C O R A M

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

Crl.O.P.No.9815 of 2013

M/s.Rajendra Mills Ltd.,
Rep. by its Managing Director
Mr.S.Chockalingam.

... Petitioner

Vs.

1. The Tahsildar, Salem.

2. The Sub Inspector of Survey,
Salem North.

3. The Inspector of Police,
Hasthampatti Police Station, Salem.

4. Mr.Kalyanasundaram, S/o. P.S.Velappan,
3/89, Vivekananda Street,
New Fairlands, Salem.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the 3rd respondent to provide Police Protection to the Petitioner's life and property and also to the respondents 1 and 2 in order to enable them to comply with the directions of this Court in W.P.No.29565 of 2008 to measure and demarcate the Petitioner's 18919 sq.ft of land situated in Alagapuram Pudur Village, in Ward C, Block 11, T.S.No.16/2 and 17, Saradha College Main Road, Salem.

For Petitioner : Mr.AR.M.Arunachalam

For RR1 to R3 : Mr.T.Shunmugarajeswaran
Government Advocate

For R4 : M/S.Janarthanam
S.Lakshmi Narayan

ORDER

The petitioner has filed the present petition seeking direction of this Court to give Police Protection to the petitioner's life and property and also to the respondents 1 and 2 so as to enable them to comply with the directions given in W.P.No.29565 of 2008 of this Court.

2. The Petitioner has alleged that he purchased a land in S.No.16/2 and 17 of Alagapuram Pudur Village measuring 2.72 acres under two sale deeds dated 13.03.1946 and 20.06.1946 and that he has been in possession of the said land ever since the date of purchase. The further contention of the Petitioner is that he entered into an agreement with the fourth Respondent on 23.08.2006 and due to a dispute between the two parties, an Arbitration proceedings was initiated in the year 2009. According to the Petitioner, he filed W.P.No.29565/2008 before this court and orders were passed directing the Respondents 1 and 2 to measure and demarcate the land. His further contention is that since the fourth respondent is not cooperating in executing the orders passed in W.P.No.29565 of 2008, adequate police protection should be given not only to him but also to the respondents 1 and 2.

3. The learned Government Advocate (Crl.Side) would contend that the dispute between the Petitioner and the fourth respondent are purely Civil in nature and that there is no necessity for the Police to give Protection for the Petitioner's life and property. He therefore prayed for dismissal of the present petition.

4. At the out set, it may be observed that the main contention of the petitioner is that the respondents 1 and 2 are unable to measure the property as per the orders passed in W.P.No.29565/2008 on the file of this Court and therefore, adequate Police Protection should be given to him and his property and also to respondents 1 and 2. It is pertinent to point out that the first respondent is the Tahisldar, Salem and the second respondent is the Sub-Inspector of Survey, Salem. The respondents 1 and 2 have not sought for any Police Protection and they have not also expressed any difficulty in measuring the property.

5. In any event, the present petition was filed in the year 2013 and so far, no untoward incident has been brought to the knowledge of the third respondent namely, the Inspector of Police, Hasthampatti Police Station, Salem.

6. In the facts and circumstances of the present case, I do not find any reason to allow this petition and therefore, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

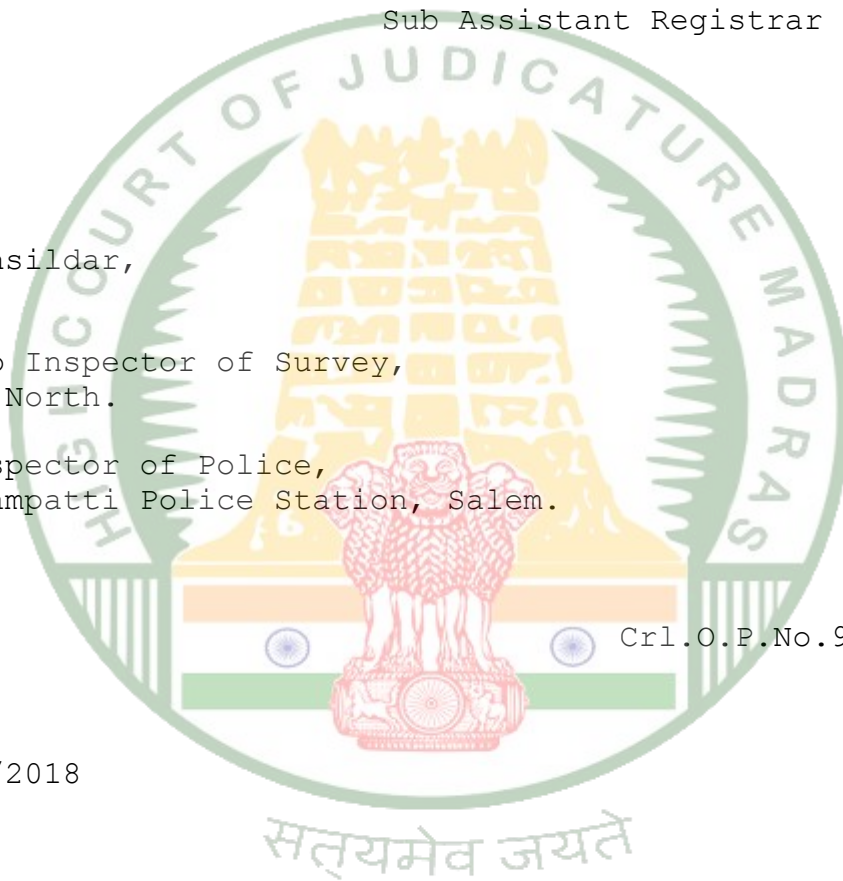
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To

1. The Tahsildar,
Salem.
2. The Sub Inspector of Survey,
Salem North.
3. The Inspector of Police,
Hasthampatti Police Station, Salem.

Crl.O.P.No.9815 of 2013

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srg 12/09/2018



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