

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2018

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.12381 of 2018

R.Sivakumar

... Petitioner

Vs.

1. The Superintendent of Police
Thiruchengodu Road,
Namakkal District.

2.The Deputy Superintendent of Police
Paramathivelur
Namakkal District - 638 182.

3.The Inspector of Police
Velur Police Station
Namakkal District.

4.Veerappan ... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C seeking a direction to the respondents 1 to 3 to give police protection to the petitioner to measure his land covered by the Judgment and Decree dated 11.04.1975 in O.S.No.694 of 1973, on the file of the District Munsif, Namakkal and to fence his property.

For Petitioner : Mr.P.Babu

For Respondents : Mr.C.Raghavan

Government Advocate (Crl.Side)
for R1 to R3

O R D E R

This Criminal Original Petition has been filed seeking a direction to the respondents 1 to 3 to give police protection to the petitioner to measure his land covered by the Judgment and Decree dated 11.04.1975 in O.S.No.694 of 1973, on the file of the District Munsif Court, Namakkal and to fence his property.

2. It is the case of the petitioner that he is the absolute owner of 3 items of the property namely (i) 4522 sq.ft (ii) 1600 sq.ft and (iii) 480 sq.ft., in all total extent of 6602 sq.ft,

comprised in S.No.3/41, A.Venkarai Village (Pandamangalam Mela Theru) and that the said property was purchased by his father, when the petitioner was a minor, by sale deed dated 12.12.1964 on the file of the Sub-Registrar, Velure, Namakkal District. The petitioner himself filed a suit before the District Munsif Court, Namakkal, in OS.No.694 of 1973 against the fourth respondent and his parents for declaration and permanent injunction in respect of the said property. The suit was decreed in favour of the petitioner on 11.04.1975.

3. Now, it is the case of the petitioner that whenever he wanted to have the property measured by the Revenue authorities, the fourth respondent is preventing him from measuring the said property. Therefore, the petitioner gave a representation on 19.04.2018 to the police and thereafter, filed the present petition for police protection.

4. Heard Mr.P.Babu, learned counsel for the petitioner and Mr.C.Raghavan, learned Government Advocate (Crl. Side) for the respondents 1 to 3.

5. It is seen that the notice has been served on the fourth respondent-Veerappan and his name is also printed in the cause list. Today, when the matter is taken up for hearing, the Court Office Assistant called out the name of the fourth respondent thrice and there is no representation for the fourth respondent. Taking into consideration the aforesaid facts, this Court gives liberty to the petitioner to go in person and give a fresh representation to the third respondent police. On receipt of the representation, the third respondent police shall afford sufficient police protection to the Revenue authorities whenever, they come for measuring the said property.

With the above direction, this petition is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1.The Superintendent of Police
Thiruchengodu Road,
Namakkal District.

2.The Deputy Superintendent of Police
Paramathivelur
Namakkal District - 638 182.

3.The Inspector of Police
Velur Police Station
Namakkal District.

4.The Public Prosecutor,
Madras High Court, Chennai.

+1cc to Mr.P.Babu, Advocate Sr.No.35273

sm:13.6.2018

CrI.O.P.No.12381 of 2018



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