

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.11.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.25541 of 2018

Ramakrishna

..Petitioner

Vs.

1.The Deputy Superintendent of Police,
Denkanikottai Taluk,
Krishnagiri District.

2.The Sub Inspector of Police,
Thally Police Station,
Denkanikottai Taluk,
Krishnagiri District.

3.R.Janardhan

..Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the respondents 1 and 2 to give police protection to the petitioner's agricultural land to survey and to fence the land and to take action on the complaint of the petitioner dated 15.05.2018.

For Petitioner : Mr.G.M.Anantha Kumar
For Respondents : Mr.C.Raghavan,
(For R1 & R2)
Government Advocate

O R D E R

This petition has been filed seeking a direction to the respondents 1 and 2 to give police protection to the petitioner's agricultural land, to survey and to fence the land and to take action on the complaint of the petitioner dated 15.05.2018.

2.It is the case of the petitioner that in the partition suit in O.S.No.479 of 1996, final decree has been passed in I.A.No.50 of 2005 on 19.08.2015, in which the petitioner has been allotted lands in Survey No.721/3B, measuring an extent of 1.31.5 acres; Survey No.697, measuring an extent of 10.5 cents and in Survey No.669/5, measuring an extent of 74 cents, altogether an extent of 2.16 acres and that the 3rd respondent who is the brother of the petitioner is not permitting the petitioner to survey the lands. Hence, the petitioner is before this Court with the above prayer.

3.Heard the learned counsel for the petitioner and learned Government Advocate for the respondents 1 and 2.

4.In the opinion of this Court, no police protection can be granted to the petitioner without hearing the 3rd respondent for fencing the land. However, it is the duty of the police to ensure that the Revenue Authorities and Surveyor from the Revenue Department are not prevented from surveying and measuring the said land.

5.Hence, the police are directed to provide sufficient protection to the Revenue Authorities and Surveyor, when they come to the said land for survey and measurement.

With the above direction, this petition is closed.

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Sd/-
Assistant Registrar(CS)

//True copy//

Sub Assistant Registrar

To

1.The Deputy Superintendent of Police,
Denkanikottai Taluk,
Krishnagiri District.

2.The Sub Inspector of Police,
Thally Police Station,
Denkanikottai Taluk,
Krishnagiri District.

3.The Public Prosecutor, High Court,
Madras.

+1cc to Mr.G.M.Anantha Kumar, Advocate SR.No.75379

KR/23/11/18

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