



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.(MD)No.20541 of 2018

J.Shanthi Devi

: Petitioner

Vs.

1. The Superintendent of Police,
Madurai District,
Alagarkoil Road, Madurai.
2. The Inspector of Police,
Silaiman Police Station, Madurai.
3. The Sub-Inspector of Police,
Silaiman Police Station, Madurai.
4. A.Adhivalavan

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents 1 to 3 to give adequate police protection to the petitioner for the properties in Madurai District, Madurai South Taluk, Viraganur Village in S.No.33/1 an extent of 6.06 acres; S.No.33/3 an extent of 0.19 cents; and S.No.33/2 an extent of 0.56 cents; in Madurai District, Madurai Taluk, Puliyangulam Village, S.No.45/1 an extent of 1.24 acres; and S.No.45/2 an extent of 1.12 acres totally 9 acres 17 cents in Madurai South Taluk, Madurai District.

For Petitioner : Mr.S.Manohar

For R1 to R3 : Mr.A.Robinson, G.A.(Crl.side)

For R4 : Mr.I.Robert Chandrakumar

ORDER

This Criminal Original Petition has been filed seeking for a direction to the respondents 1 to 3 to give Police protection to the petitioner's properties in S.No.33/1 an extent of 6.06 acres; S.No.33/3 an extent of 0.19 cents; and S.No.33/2 an extent of 0.56



cents at Madurai District, Madurai South Taluk, Viraganur Village and in S.No.45/1 an extent of 1.24 acres; and S.No.45/2 an extent of 1.12 acres at Madurai District, Madurai Taluk, Puliyangulam Village.

2.The learned counsel appearing for the petitioner would submit that the petitioner is the owner of the property measuring 9 acres in Madurai South Taluk in Viraganoor and Puliyangulam Villages and she has purchased the properties from one S.Padmanaban by sale deed dated 19.08.1977. The petitioner is in possession and enjoyment of the property. He would further submit that the fourth respondent herein filed an application before the Thasildar, Madurai South, claiming patta to a portion of the property and the same was dismissed and against the said proceedings, he filed appeal before the District Revenue Officer, Madurai for grant of patta.

3.The District Revenue Officer, Madurai ordered for joint patta in the name of some third parties who have not applied for patta and against the said orders the petitioner filed Writ Petition in W.P. (MD)No.22117 of 2018. This Court on 30.10.2018, passed an order of stay of the order of the District Revenue Officer, Madurai. The learned counsel for the petitioner would also submit that taking advantage of the orders of the District Revenue Officer, Madurai, the fourth respondent and his henchmen have taken steps to interfere in the petitioner's property without any legal rights and also tried to interfere in the petitioner's property on 01.11.2018 and 05.11.2018, which necessitated the petitioner to give complaint before the third respondent. However no action has been taken by the respondent Police. Hence, the petitioner filed this petition seeking Police protection.

4.The learned counsel appearing for the fourth respondent would submit that the fourth respondent seeking remedy only in respect of 2.36 acres of land and that now only it is came to the knowledge of the fourth respondent that the petitioner has obtained stay from this Court and that the fourth respondent is taking steps to vacate the order of stay, which is granted in favour of the petitioner. The learned counsel for the fourth respondent denies that the fourth respondent harassed the petitioner and he would submit that the fourth respondent will take legal steps and not indulge in illegal activities.

5.The learned Government Advocate (Crl.side) would submit that based on the complaint given by the petitioner, the petitioner and the fourth respondent were summoned for enquiry and they have also appeared before the Deputy Superintendent of Police. They have given written statement stating that they will enforce their rights before the appropriate forum. Based on the statement of the parties, the complaint has been closed.

6.In view of the above, the petitioner and the fourth respondent are directed to approach the proper forum to enforce



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their civil rights. With the above direction, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar (CS-)

To

1. The Superintendent of Police,
Madurai District,
Alagarkoil Road, Madurai.
2. The Inspector of Police,
Silaiman Police Station, Madurai.
3. The Sub-Inspector of Police,
Silaiman Police Station, Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.S.MANO HAR, ADVOCATE IN SR No. 96483

+ 1 CC TO Mr.G.PRABHU RAJADURAI, ADVOCATE IN SR No. 96505

GNS

TE/SV/SAR-3 : 19/12/2018 : 3P/7C

Cr1.O.P.(MD)No.20541 of 2018
22.11.2018