



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P. (MD)No.18496 of 2018

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: Petitioner

Vs.

1. State rep by its
The District Superintendent of Police,
Dindigul District, Dindigul.
2. The Deputy Superintendent of Police,
Ottanchatram, Dindigul District.
3. The Inspector of Police,
Sempatti Police Station,
Dindigul District.
- 4.Kalimuthu
- 5.Selvakumar
- 6.Balu
- 7.Sathishkumar
- 8.Muniappan
- 9.Arunkumar

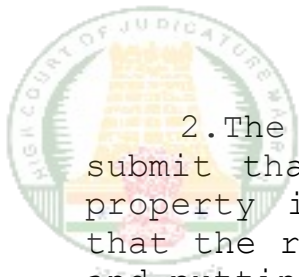
: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents No.1 to 3 to give adequate Police protection to the petitioner and her family members from the hands of the respondents 4 to 9 and their associates on the basis of the petitioner's complaint dated 26.09.2018.

For Petitioner : Mr.PR.Boomee Rajan
For R1 to R3 : Mr.A.Robinson, G.A.(Crl.side)

ORDER

This Criminal Original Petition has been filed seeking for a direction to the respondent Nos.1 to 3 to give police protection from the hands of the respondents 4 to 9 and their associates on the basis of the petitioner's complaint dated 26.09.2018.



2.The learned counsel appearing for the petitioner would submit that the petitioner has been granted patta in respect of property in survey no.95/3 and 93/1A. He would further submit that the respondent Nos.4 to 9 are interfering with the possession and putting up fence. Hence he sought for a direction.

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3.The learned Government Advocate(Crl.side) would submit that based on the complaint given by the petitioner, a proceedings in C.S.R.No.307 of 2018 had been initiated by the respondent Police and that enquiry was conducted. During the enquiry, it was found that the petitioner herein purchased the property from one James George during the year 1991 and adjacent to that land there is a promboke land and one Kalimuthu, who is Nattamai of Punjolai Village, had attempted to put up a common toilet and that rival suits are also pending between the parties regarding the dispute. He would further submit that in respect of dispute between the parties, the respondent Police has registered two crime numbers in Cr.Nos.262 & 263 of 2018 and during the enquiry the parties have been asked to approach the civil Court for enforcement of their rights whereas they have not agreed with the same.

4.The petitioner is directed to approach the Revenue authorities for survey of his land by giving notice to the adjacent land owners and if date is fixed by the Tahsildar for conducting survey, adequate protection shall be given by the third respondent.

5.With this observation, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The District Superintendent of Police,
Dindigul District, Dindigul.
2. The Deputy Superintendent of Police,
Ottanchatram, Dindigul District.
3. The Inspector of Police,
Sempatti Police Station,
Dindigul District.

<https://hcservices.hcma.org/hservices>
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



+1 cc To Mr.PR.Boomee Rajan, ADVOCATE IN SR NO.96979
gns
MK/ES/RSK/SAR 2/27.12.2018/3P/6C

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