

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.10531 of 2019

1.R.Nandagopal
2.R.Vijayakumar
3.Muthukrishnan

... Petitioners

Vs.

1.The Superintendent of Police,
Otteri Police Station,
Kanchipuram District.

2.The Inspector of Police,
P-2, Otteri Police Station,
Kanchipuram District.

... Respondents

Prayer :- Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents to provide sufficient police protection for put up the fencing in the agricultural land measuring 134 cents in Survey No.21/1, 72 cents in Survey No.13/1, 69 cents in Survey No.14 and 64 cents in Survey No.15/2 in all measuring 339 cents situated at Kolappakkam Village, Chengalput Taluk, Kanchipuram District.

For Petitioner : Mr.G.Murugendran

For Respondents : Mr.C.Raghavan
Government Advocate (Cr1.side)

O R D E R

This petition has been filed seeking police protection to the petitioners to fence their property.

2.The learned counsel for the petitioners submitted that the petitioners are the absolute owners of the agricultural land measuring 134 cents in Survey No.21/1, 72 cents in Survey no.13/1, 69 cents in Survey No.14 and 64 cents in Survey No.15/2 situated at Kolappakkam Village, Chengalput Taluk, Kanchipuram District and it was joint family property. All the petitioners were in possession and enjoyment till date. While so one R.Ramachandran had trespassed in to the petitioner's property claiming that he is the power holder appointed by the

petitioner's brother viz., Devadoss. On the capacity of power holder he is creating disturbance and also prevents the petitioner to put up a fence. The learned counsel further submits that the said power hold is representing Sivasankar Real Assests Pvt. Ltd. Hence, the petitioners are before this Court with the aforesaid prayer.

3.Heard both sides.

4.Considering the facts and circumstances of the case, without going into the merits of the case, the 2nd respondent is directed to conduct enquiry with the counter part and pass orders on merits and in accordance with law, within a period of two weeks from the date of receipt of copy of this order.

5.This Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar(CS-VI)

//True copy//

Sub Assistant Registrar

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To

1.The Superintendent of Police,
Otteri Police Station,
Kanchipuram District.

2.The Inspector of Police,
P-2, Otteri Police Station,
Kanchipuram District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.G.Murugendran, Advocate SR.No.38286

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SJ(CO)
GMY(06/05/2019)