

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

Cr1.O.P.No.25095 of 2019

1.V.K.Palanisamy

2.P.Selvamani

...Petitioners

Vs

1.The Deputy Superintendent of Police,
Perundurai Sub Division,
Erode District.

2.The Inspector of Police,
Chennimalai Police Station,
Erode District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the respondents to give adequate police protection to the petitioners to take water from their ground well in R.S.No.27/1A2 and bore well in R.S.No.41/3A to their own agricultural lands in R.S.No.8/2A, Ekkatampalayam Village, Perundurai Taluk, Erode District in line with the track rent permit granted by the authorities concerned, by considering their representation dated 09.09.2019.

For Petitioner : Mr.N.Manoharan

For Respondents: Mr.C.Iyyapparaj
Additional Public Prosecutor

O R D E R

The grievance of the petitioners is that when they attempted to draw the water from their ground well in R.S.No.27/1A2 and bore well in R.S.No.41/3A to their own agricultural lands in R.S.No.8/2A, Ekkatampalayam Village, Perundurai Taluk, Erode District, there was some objections from the villagers, owing to which they had given a representation on 09.09.2019, seeking for protection. Since the representation was not considered in time, the present Criminal Original Petition has been filed seeking for protection to the respondents to give them adequate police protection.

2. Today, when the matter was called, the learned Additional Public Prosecutor, on instructions, submitted that the property from which the petitioners intend to draw water for agricultural purposes to their own lands belongs to them absolutely.

3. When the property stands in the name of the petitioners, there cannot be any objections from the villagers since the petitioners intend to utilise the water only for his agricultural purposes. If at all, there are any objections from the villagers, on these aspects, the petitioners would be justified for seeking protection from the respondent police.

4. In the light of the above observations, the petitioners are granted liberty to approach the second respondent herein and give a fresh representation seeking for necessary protection for drawing water from their own lands for the purpose of irrigation of the agricultural lands. On receipt of such representation, the second respondent shall endeavour to consider the representation and provide police protection, if necessary.

5. Such consideration shall be made atleast within a period of one week from the date of receipt of a copy of the petitioners representation. Accordingly, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

vr

To

1.The Deputy Superintendent of Police,
Perundurai Sub Division,
Erode District.

2.The Inspector of Police,
Chennimalai Police Station,
Erode District.

3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.M.Manokaran, Advocate SR.No. 87034

CrI.O.P.No.25095 of 2019

gp (CO)
A.SK(27/11/2019)