



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.03.2019

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Cr1.O.P.(MD)No.3664 of 2019

Sundararaj

... Petitioner

Vs.

1. The Superintendent of Police,
Sivagangai District,
Sivagangai Collectorate Campus,
Sivagangai.
2. The State rep by
The Inspector of Police,
Kalayarkoil Police Station,
Kalayarkoil,
Sivagangai District.

3. S.Murugan

... Respondents

Prayer: Petition - filed under Section 482 of the Criminal Procedure Code, to direct the respondent herein to provide necessary police protection to the petitioner on the basis of his representation dated 17.09.2018.

For Petitioner	: Mrs.G.Mahalakshmi
For R-1 and R-2	: Mr.V.Neelakandan
	Additional Public Prosecutor

ORDER

The petitioner seeks protection to his life, liberty and right to property from the third respondent.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent police.

3. The learned counsel for the petitioner submits that there was some property dispute between the petitioner and the third respondent; that the petitioner had laid O.S.No.153 of 2004 before the District Munsif Court, Sivagangai, in which he obtained a decree in his favour on 04.10.2005. since then, he is in peaceful possession. The petitioner has surveyed his property with a view to put up some fencing and necessary boundary stones were laid by the Survey Department. While so, on 29.11.2018, the boundary stones were removed by the third respondent and the petitioner is facing threat.



4. The learned Additional Public Prosecutor submitted that the representation / complaint of the petitioner is pending.

5. For the occurrence that was said to have taken place on 29.11.2018, the petitioner has approached this Court some three months later. If the representation of the petitioner is entertained in the correct perception, it indicates mischief committed by the third respondent.

6. The threat perception facing by the petitioner for the past three months that has intervened between the date of alleged occurrence and today is bit amusing, and this Court wonders if it continues till today.

7. Having stated thus, this Court holds that if the petitioner perceives any threat perception to his right to property or life and liberty, he is free to file his representation before the second respondent police, who unlike in the earlier occasion, should not keep the matter pending for months together, but act on the same within the reasonable time and to hold such necessary enquiry and take such appropriate decision as would be necessary to protect the petitioner's right to property and life and liberty.

8. With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Sivagangai District,
Sivagangai Collectorate Campus,
Sivagangai.
2. The Inspector of Police,
Kalayarkoil Police Station,
Kalayarkoil,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.VIVEKANANDAN, Advocate (SR-53161[F] dated 12/03/2019)

TA

TE : 18/03/2019 : 2P/5C