



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 25.03.2019

CORAM:

THE HONOURABLE **MR. JUSTICE N. SESHASAYEE**

Cr1.O.P.(MD)No.4408 of 2019

G.Nagarajan

: Petitioner

Vs.

1.State represented by
The Superintendent of Police,
Theni, Theni District.

2.The Inspector of Police,
Chinnamanur Police Station,
Chinnamanur, Theni District.

3.Syed Ibrahim

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C to direct the 1st and 2nd respondents to give police protection to the petitioner and the surveyor, to survey the petitioner's land in Patta No.178 (RTN No.3823/10) in survey No.179, situated at Chinnamanur, Theni District, on the basis of the representation dated 14.03.2019.

For Petitioner : Mr.Antonys Prabahar
For R-1 & R-2 : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the 1st and 2nd respondents to give police protection to the petitioner and the surveyor, to survey the petitioner's land in Patta No.178 (RTN No.3823/10) in survey No.179, situated at Chinnamanur, Theni District, on the basis of the representation dated 14.03.2019.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 & 2.

3. The learned counsel appearing for the petitioner submitted that earlier, the petitioner had preferred a complaint accusing the third respondent of grabbing his land and when the matter came to be enquired by the Anti Land Grabbing Special Cell, Theni District, the third respondent has given a statement that the property may be surveyed and he would abide by the results of the survey. However, when efforts were taken to survey the property and necessary notices were issued by the Taluk Surveyor, the third respondent shows protest.



4. The learned Additional Public Prosecutor appearing for the respondents 1&2 submitted that the allegation of the land grabbing is being enquired. Sofar as the second aspect is concerned, if the surveyor requires any police protection, the same can be granted.

5. Considering the facts and circumstances of the case, the petitioner may now move the surveyor for measuring his property, who in turn shall issue notices to all the adjacent owners and if he faces any obstructions in performing his official duty, he may approach the second respondent for protection, who shall weigh the situation and grant such necessary protection to enable the surveyor to perform his official duty.

6. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (WRIT AE)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Superintendent of Police,
Theni, Theni District.

2.The Inspector of Police,
Chinnamanur Police Station,
Chinnamanur, Theni District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

1 CC to M/s.ANTONY.S.PRABAHAR, Advocate (SR-56347[F] dated
25/03/2019)

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25.03.2019

DS/ /SAR- (16.04.2019) 2P 5C