



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2019

CORAM:

THE HONOURABLE **MR. JUSTICE N. SESHASAYEE**Crl.O.P. (MD) No. 5165 of 2019

WEB COPY

K.Madhavan Pillai,
President,The Brammapuram Primary Agriculture,
Co-operative Credit Society limited, No.Y-210,
Brammapuram, Kumaracovil Post,
Kanyakumari District.

... Petitioner

/Vs./

1.The Superintendent of Police,
Kanyakumari District, Nagercoil.2.The Inspector of Police,
Thuckalay Police Station, Thuckalay, Kanyakumari District.

3.K.Chandra Kumar ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C to direct the first and second respondents to provide adequate Police protection to the petitioner the Brammapuram Primary Agriculture Co-operative Credit Society Limited, during the time of construction of the Compound wall to the building in Door No.2/64A, situated at Brammapuram Village, Kalkulam Taluk, Kanyakumari District on the basis of the representation given by the petitioner on 29.01.2019 and 06.03.2019.

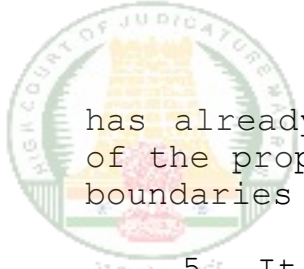
For Petitioner
For R-1 & R-2: Mr.K.Sathiya Singh
: Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl. side)**ORDER**

The petitioner, President of a certain Co-operative Credit Society has come forward with the present petition alleging that the third respondent is interfering with the property belonging to the Co-operative Credit Society.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondents 1 and 2.

3. The learned counsel appearing for the petitioner submitted that a compound wall is being constructed in the property of Co-operative Credit Society and more than 50% of the work is completed. As this stage, the third respondent caused some damages.

4. The learned Government Advocate (Crl. Side) submitted that there has been some dispute sometime now and the second respondent



has already instructed the petitioner to go for appropriate survey of the property of the Co-operative Credit Society, to determine its boundaries and then proceed to construct.

5. It appears from the statement of the learned Government Advocate (crl. Side) that the boundaries of the property of the Co-operative Credit Society may have to be ascertained. It is therefore necessary that the petitioner approaches the Survey Official for surveying the property of the Co-operative Credit Society to determine the boundaries and in the eventuality of the petitioner moving the surveyor, if there are obstructions to the surveyor by the third respondent or any other, then the second respondent is directed to give such necessary police protection to the surveyor. If there is any major dispute as to title or otherwise, the petitioner shall approach the civil Court.

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

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Superintendent of Police,
Kanyakumari District, Nagercoil.
2. The Inspector of Police,
Thuckalay Police Station,
Thuckalay, Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.K.Sathiya Singh, Advocate, SR.No.59783

Cr1.O.P.(MD)No.5165 of 2019
05.04.2019

SM