



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2019

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P(MD).No.16048 of 2019

Thavamani Regenal Jayaseeli

... Petitioner

Vs.

1. The Superintendent of Police
Tirunelveli District
Palayamkottai
Tirunelveli -627009
2. The Deputy Superintendent of Police
Thalaiyuthur Circle
Tirunelveli District
3. The Sub Inspector of Police
Thevarkulam Police Station
Thevarkulam, Tirunelveli District
4. The Head Surveyor
Taluk Office
Sankarankovil
Tirunelveli District
- 5.Pappa
6. Vijayalakshmi

... Respondents

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, directing the respondents 2 to 3 particularly the 3rd respondent to provide police protection to the petitioner while surveying the petitioner's land in survey Nos.37/3D2, 3E2 and 3F2 measuring to an extent of 0.48.00 Hectares Ares situated at Thevarkulam Village, Sankarankovil Taluk, Tirunelveli District and also to take appropriate action on the respondents 5 and 6 for their illegal and highhanded activities forthwith.

For Petitioner	:	Mr.J.Sivaram
For Respondents	:	Mr.K.Suyambulinga Bharathi
No.1 to 4		Government Advocate(Crl.Side)



O R D E R

This Criminal Original petition has been filed to direct the respondents 2 to 3 particularly the 3rd respondent to provide police protection to the petitioner while surveying the petitioner's land in survey Nos.37/3D2, 3E2 and 3F2 measuring to an extent of 0.48.00 Hectares Ares situated at Thevarkulam Village, Sankarankovil Taluk, Tirunelveli District and also to take appropriate action on the respondents 5 and 6 for their illegal and highhanded activities forthwith.

2. The petitioner has paid a requisite fee to survey the property comprised in survey Nos.37/3D2, 3E2 and 3F2 measuring to an extent of 0.48.00 Hectares Ares situated at Thevarkulam Village, Sankarankovil Taluk, Tirunelveli District. In this regard, he has filed a suit as against the fifth and sixth respondents and the same was decreed in his favour. Thereafter the fifth and sixth respondent also filed suit in O.S.No. 8 of 2019 on the file of the Additional District and Sessions Court, Tenkasi, Tirunelveli District and it is pending. While being so, he wants to survey his land. If the petitioner's request for surveying the land was accepted by the revenue authorities, the concerned surveyor can survey the property as requested by the petitioner .

3. While surveying the land, if the Surveyor feels any hindrance of difficulty to survey the land belonging to the petitioner, he can very well seek police protection before the third respondent. If any complaint lodged by the Surveyor while surveying the land seeking police protection, the third respondent is directed to consider the same and pass orders on merits and in accordance with law after conducting enquiry with the respondents 5 and 6 herein.

4. With the above observation and direction, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police
Tirunelveli District
Palayamkottai
Tirunelveli -627009
2. The Deputy Superintendent of Police
Thalaiyuthur Circle
Tirunelveli District
3. The Sub Inspector of Police
Thevarkulam Police Station
Thevarkulam
Tirunelveli District
4. The Head Surveyor
Taluk Office
Sankarankovil
Tirunelveli District
5. The Additional Public Prosecutor
Madurai Bench of Madras High Court.

+1 CC to M/s.J.SIVARAMAN, Advocate SR-96528.

+1 CC to M/s.T.SELVAN, Advocate SR-96850.

Crl.O.P(MD) No. 16048 of 2019

06.11.2019

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