

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.NO.14653 OF 2020

1. Kanavapatti, M/57 years,
S/o.Gopal.

2. Venkatappan, M/40 years,
S/o.Gopal

both are residing at
Thinnakalani Village,
Pethathalapalli Post,
Krishnagiri District.

.... Petitioners

Vs

1. State by
The Superintendent of Police,
Krishnagiri District.

2. The Inspector of Police,
Taluk Police Station,
Krishnagiri,
Krishnagiri District.

3. Thulasi,
W/o. Venkatesamurthy,
2/530, Chellandi Nagar Village,
Kattikanapalli Post,
Krishnagiri Taluk,
Krishnagiri District.

.... Respondents

Prayer:

Criminal Original Petition filed under Section 482 Cr.P.C.
to direct the 2nd respondents to give police protection to the
petitioners' land comprised in Survey No.210/14 situated at
Pethathalapalli Village, Krishnagiri Taluk, Krishnagiri District
by considering the petitioners' representation dated 28.08.2020.

For Petitioners: Mr.K.Thiruvengadam

For Respondents: Mr.S.Karthikeyan (For R1 & R2)

Additional Public Prosecutor

ORDER

This petition has been filed for direction directing the 2nd respondent to give police protection to the petitioners' land comprised in Survey No.210/14 situated at Pethathalapalli Village, Krishnagiri Taluk, Krishnagiri District by considering the petitioners' representation dated 28.08.2020.

2.The learned counsel for the petitioner would submit that the petitioner is the owner of the property comprised in Survey No.210/14 situated at Pethathalapalli Village, Krishnagiri Taluk, Krishnagiri District. He has constructed the house and living there. While being so, the 3rd respondent herein attempted to trespass into his property and also tried to demolish the house put up by the petitioner herein. Therefore, he has sought for police protection.

3.Per contra, the learned Additional Public Prosecutor submitted that already there is a dispute in respect of the very same property between the petitioner and the 3rd respondent. However, the patta issued in favour of the petitioner was challenged by the 3rd respondent before the District Revenue Officer and the District Revenue Officer by an order dated 10.08.2020, cancelled the patta issued in favour by the petitioner herein in so far as the property comprised in Survey No.210/14 situated at Pethathalapalli Village, Krishnagiri Taluk, Krishnagiri District. Hence, the complaint lodged by the petitioner is pending for enquiry.

4.It is seen that there is a dispute in respect of the property comprised in Survey No.210/14 situated at Pethathalapalli Village, Krishnagiri Taluk, Krishnagiri District, between the petitioner and the 3rd respondent herein. In this regard, 3rd respondent also filed petition for cancellation of patta issued in favour of the petitioner herein and the same was allowed by an order dated 10.08.2020. Though the petitioner has filed an appeal as against the order passed by the District Revenue Officer, before the Commissioner of Land Administration of Chennai, the 3rd respondent attempted to demolish the house of the petitioner herein. In this regard, the petitioner has also lodged a complaint and it is pending with the file of the 2nd respondent.

5. Considering the above facts and circumstances, the 2nd respondent is directed to conduct enquiry on the complaint lodged by the petitioner, after issuing notice to the 3rd respondent, after giving opportunity of hearing and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

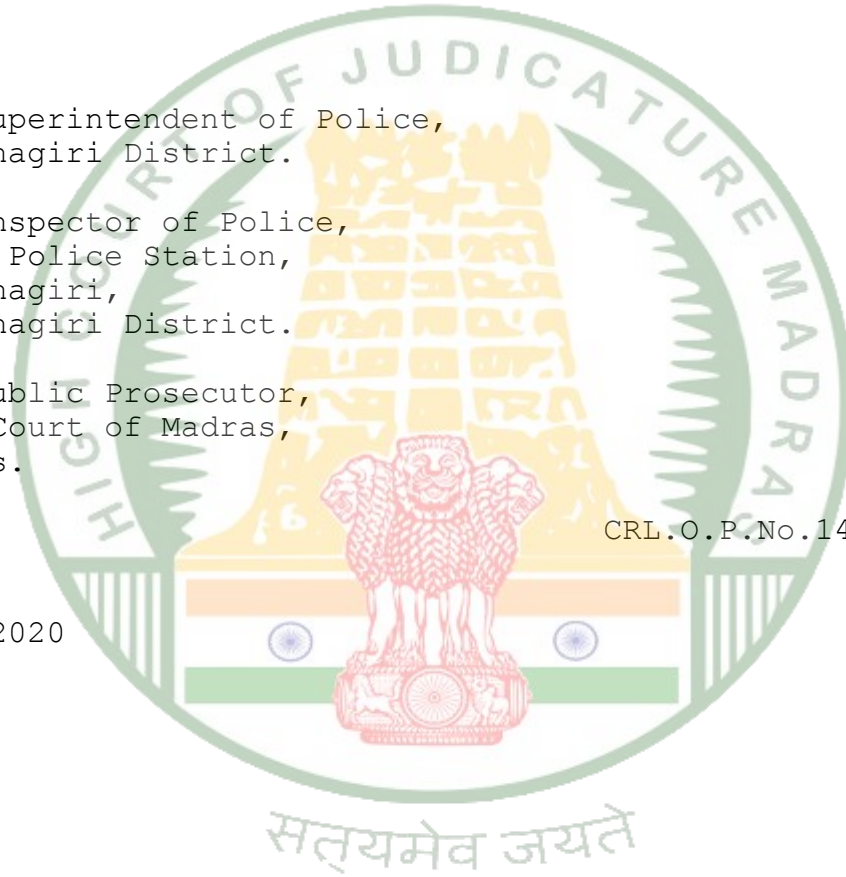
MPA

To

1. The Superintendent of Police,
Krishnagiri District.
2. The Inspector of Police,
Taluk Police Station,
Krishnagiri,
Krishnagiri District.
3. The Public Prosecutor,
High Court of Madras,
Madras.

CRL.O.P.No.14653 of 2020

AJS (CO)
CS/10/12/2020



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