

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.09.2020

CORAM:

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

Crl.O.P.No.14747 of 2020

Chockalingam

... Petitioner

Vs.

1. The Superintendent of Police,
Krishnagiri District,
Krishnagiri-635 115.

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

3. Senthil

4. Kumaran

5. Varadaraj

... Respondents

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to direct the 2nd respondent police to grant police protection to the petitioner for surveying and measuring his lands measuring 0.97.5 hectares in S.F.No.48/2, Velampatti Village, Uthangarai Taluk, Krishnagiri District by the Revenue Authorities, as per complaint dated 05.08.2020.

For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mr.S.Karthikeyan
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the 2nd respondent police to grant police protection to the petitioner for surveying and measuring his lands measuring 0.97.5 hectares comprised in S.F.No.48/2, Velampatti Village, Uthangarai Taluk, Krishnagiri District by the Revenue Authorities, as per complaint dated 05.08.2020.

2. Heard Mr.K.Govi Ganesan, learned counsel appearing for the petitioner and Mr.S.Karthikeyan, learned Additional Public Prosecutor, appearing for the respondents 1 and 2.

3. The learned counsel for the petitioner submitted that the petitioner is owned the above said land and it was allotted by the settlement arrived before the Lok Adalat, by a compromise decree dated 10.09.2016 in the suit in O.S.No.124 of 2015 on the file of the Subordinate Court, Uthangarai, the suit has been filed for partition and separate possession. Thereafter, the petitioner surveyed the said property and also demarcate his share and obtained a decree. The counter parties namely the respondents 3 to 5 herein objected to survey the petitioner's property. Therefore, the petitioner lodged the complaint on 05.08.2020 to provide adequate police protection to survey his property.

4. On perusal of records, the petitioner has paid requisite fees to survey his property comprised in S.F.No.48/2, Velampatti Village, Uthangarai Taluk, Krishnagiri, which was allotted to him by a compromise decree of partition in O.S.No.124 of 2015 by a decree dated 10.09.2016. In pursuant to which, the petitioner also paid requisite fees to the Revenue Officials to survey his share. If the revenue officials appointed any surveyor to survey the petitioner's land as requested by him, and if the surveyor found any ingress and egress or disturbances from the counter parties while surveying the properties, the surveyor can very well approach the concerned jurisdictional police for police protection. If the surveyor made any request to provide police protection, the concerned police official is directed to consider the same after issuing notice to the counter parties on merits in accordance with law.

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

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1. The Superintendent of Police,
Krishnagiri District,
Krishnagiri-635 115.

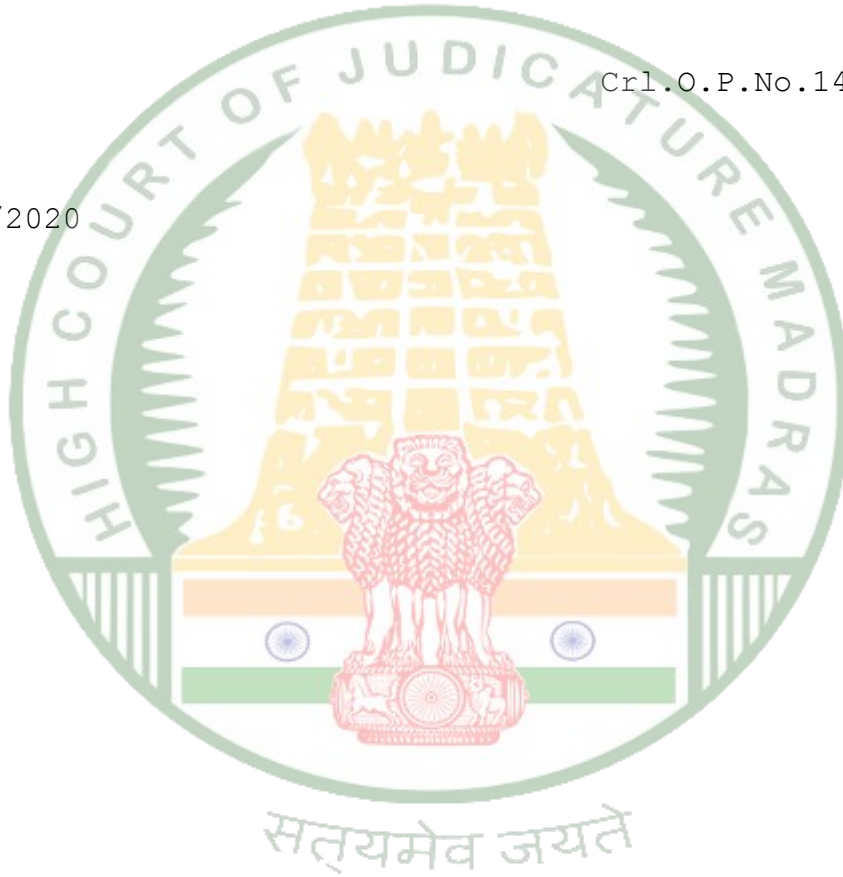
2. The Inspector of Police,
Kallari Police Station,
Kallari,
Uthangarai Taluk,
Krishnagiri District.

3. The Public Prosecutor,
High Court, Madras.

+lcc to M/s.K.Govi Ganesan, Advocate Sr.31011

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