

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No. 26348 of 2019

P.Shanmugaraja

... Petitioner

Vs.

1. State rep by its,
The Sub Inspector of Police,
Tiruchengode Town Police Station,
Namakkal District.

2. Valarmathi
3. Muthusamy

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the first respondent to provide police protection while revenue authorities surveying and measuring the property of the petitioner based on the representation dated 10.09.2019.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor for R1

: Mr.M.Muniruddin Sheriff for R2

: Mr.V.Ragavachari for R3

सत्यमेव जयते
O R D E R

This Criminal Original Petition has been filed for a direction to direct the first respondent to provide police protection while revenue authorities surveying and measuring the property of the petitioner based on the representation dated 10.09.2019.

2. Heard Mr.W.Gamyles Gandhi, learned counsel for the petitioner, Mr.M.Mohammed Riyaz, learned Additional Public Prosecutor for the first respondent, Mr.M.Muniruddin Sheriff, learned counsel for the second respondent and Mr. V.Ragavachari , learned counsel for the third respondent.

3. A perusal of the representation submitted by the petitioner on 10.09.2019 would disclose that respondents 2 and 3 are attempting to trespass into the petitioner's land; earlier there was a pathway issue; petitioner was successful before the Courts below; and to bring a quietus to the issue it is proposed to survey the land and hence, the complaint.

4. In the said circumstance, the petitioner is directed to approach the Tahsildar, who shall allot a surveyor to survey the land in question. If the surveyor finds any hindrance in measuring the land, he can seek for police protection. On the request of the surveyor, the first respondent is directed to conduct an enquiry and after issuing notice to the counter parties shall pass a reasoned orders on merits in accordance with law.

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

Sd/-

Assistant Registrar(AD I)

//True Copy//

Sub Assistant Registrar

kv

To

1. The Sub Inspector of Police,
Tiruchengode Town Police Station,
Namakkal District.
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.W.Camyles Gandhi, Advocate, S.R.No.19411

EV(CO)
KKV/17/06/2020

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