

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.29051 of 2019

Sumathi

W/o Dharmalingam

No.106, Arunthathiyar Street

Chinnakakavery, Pillayar Kovil, Seerapalli

Rasipuram Taluk

Namakkal District.

...Petitioner

-Vs-

1.The Superintendent of Police
Namakkal District.

2.Deputy Superintendent of Police
Rasipuram Taluk
Namakkal District.

3.The Inspector of Police
Namagiripet Police Station
Namakkal District.

4.Pappathi
W/o K.Natarajan
Kattukottai, Vadukam Muniyappampalayam Village and Post
Near Kaasiammal Kaaikari Thottam
Rasipuram Taluk,
Namakkal District.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the 3rd respondent to give police protection to the petitioner to survey the petitioner's land comprised in re survey No.17-1A for an extent of Punja 0.97.0 Acre and comprised in re survey No.17-1B for an extent of 0.96 Acre and totally 1.93 Acre, situated at Vadukamuniyampalayam Village, Rasipuram Union, sub registration district of Rasipuram, Registration district of Namakkal under registered sale deed dated 27.03.2018 (Document No.1286/2018) based on the petitioner's written request dated 04.09.2019 pending on the file of the 2nd and 3rd respondents.

For Petitioner : Mr.G.Peranban
For Respondents : Mr.K.Prabakar
Additional Public Prosecutor
For RR1 to 3

Mr.W.Camyles Gandhi
For R4

ORDER

The Criminal Original Petition has been filed to direct the 3rd respondent to give police protection to survey the petitioner's land comprised in re survey No.17-1A for an extent of Punja 0.97.0 Acre and comprised in re survey No.17-1B for an extent of 0.96 Acre and totally 1.93 Acre, situated at Vadukamuniyampalayam Village, Rasipuram Union, sub registration district of Rasipuram, Registration district of Namakkal under registered sale deed dated 27.03.2018 (Document No.1286/2018) based on the petitioner's written request dated 04.09.2019 pending on the file of the 2nd and 3rd respondents.

2.Heard the learned counsel for the petitioner, learned Additional Public Prosecutor for respondents 1 to 3 and learned counsel for the respondent 4.

3.It is seen that there was a civil dispute between the parties and the petitioner herein has filed a suit in O.S.No.23 of 2019 on the file of the learned District Munsif, Rasipuram and it is pending without any interim order. Pending suit, the petitioner requested the revenue authorities to survey her land also paid some amount to the concerned revenue department. Therefore, if any surveyor is appointed on the request made by the petitioner, by the revenue department to survey her land, the surveyor while surveying the land belongs to the petitioner can very well seek necessary police protection before the concerned jurisdictional police station. On such request, the Officer-in-Charge of the concerned police station is directed to consider the same and after conducting enquiry with the private parties, shall pass appropriate orders on merits and in accordance with law.

4.With the above directions, the Criminal Original Petition is disposed of.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

Jer

To

1.The Superintendent of Police
Namakkal District.

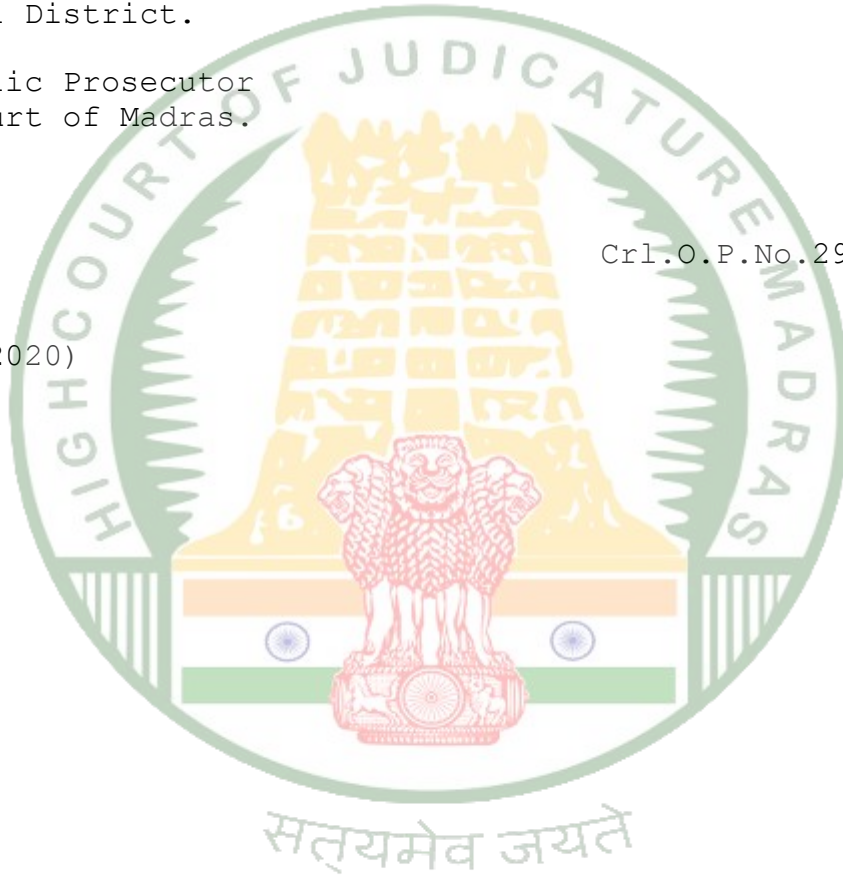
2.Deputy Superintendent of Police
Rasipuram Taluk
Namakkal District.

3.The Inspector of Police
Namagiripet Police Station
Namakkal District.

4.The Public Prosecutor
High Court of Madras.

Crl.O.P.No.29051 of 2019

VGII (CO)
SP(30/07/2020)



WEB COPY