



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE **R. PONGIAPPAN**
Crl.O.P.[MD]No.9094 of 2020

A.Thavamani

... Petitioner

Vs.

1.The Superintendant of Police,
Madurai,
Madurai District.

2.The State through
Inspector of Police,
Kottampatti Police Station,
Kottampatti,
Madurai District.

3.Ponnukalai @ Pidaran

... Respondents

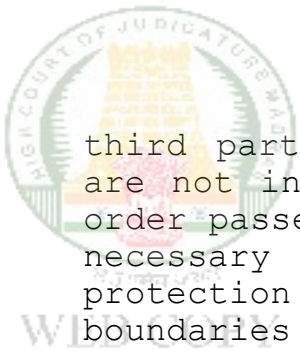
PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents 1 and 2 to provide adequate police protection to the petitioner during the time of fixing four boundary stones and fencing his property in Survey No.426/1B4, 426/5I, and 426/5B to the extent of 24 cents in Kambur Village, Melur Taluk, Madurai District.

For Petitioner	: Mr.S.J.Chakkaravathy
For R-1 and R-2	: Mr.A.P.G.Ohm Chairma Prabhu Government Advocate (crl.side)

ORDER

This criminal original petition has been filed seeking a direction to direct the respondents 1 and 2 to provide adequate police protection to the petitioner during the time of fixing four boundary stones and fencing his property in survey Nos.426/1B4, 426/5I and 426/5B to the extent of 24 cents in Kambur Village, Melur Taluk, Madurai District.

2.The learned counsel for the petitioner would submit that in earlier, while at the time of passing order in W.P No.20929 of 2019 filed by the present petitioner, direction was issued to the Head Surveyor attached with Taluk Office, Melur, to measure the property which is owned by the petitioner. Now during the time when the Revenue Official was taking steps to measure the property, some



third party caused interference and thereby the Revenue Officials are not in a position to measure the property. Due to which, the order passed by this Court has not been complied with. Hence, it is necessary to direct the respondents 1 and 2 to provide police protection to the petitioner during the time of fixing four boundaries by the Revenue Officials.

3.In this regard, the learned Government Advocate (crl.side) appearing for the respondents 1 to 3 would submit that only on 17.08.2020, the complaint given by the petitioner has been received by the second respondent police. He would further submit that the Police Officers are ready to provide necessary protection to measure the property as per the direction given by this Court.

4.Upon considering the arguments advanced by either side, it is not in dispute for complying the order passed by this Court, it is necessary to measure the property in Survey Nos.426/1B4, 426/5I and 426/5B. In this regard, the learned Government Advocate (crl.side) himself admitted that the representation given by the petitioner has been received by the second respondent police on 17.08.2020. Therefore, it is the duty of the second respondent to obey the order passed by this Court by way of providing adequate police protection to survey the land. Accordingly, the second respondent is directed to give necessary police protection to the petitioner during the time of fixing four boundary stones and fencing his property in Survey Nos.426/1B4, 426/5I and 426/5B after collecting necessary fee, as required.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Superintendant of Police,
Madurai,

Madurai District.

<https://hcservices.courts.gov.in/hcservices>



2.The Inspector of Police,
Kottampatti Police Station,
Kottampatti,
Madurai District.

WEB COPY

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.J.Chakkaravathy, Advocate Sr.No.6289

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VB (15.09.2020) 3P 5C