



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P.(MD)No.14993 of 2020

Sekar

... Petitioner

vs.

1. State rep. by
The Superintendent of Police,
Dindigul District,
Dindigul.

2. State rep. by
The Inspector of Police,
Eriyodu Police Station,
Dindigul District.

3. Perumal ... Respondents

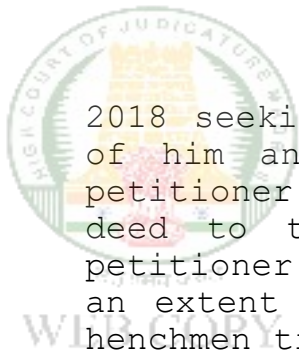
PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents 1 and 2 to give necessary police protection to the life and limb of the petitioner and the property comprised in Survey No.756/2 to an extent of 26 cents and Survey No.758/4B2A to an extent of 77 cents situated at Near E.B.Office, Eriyodu, Vedasanthur Taluk, Dindigul District on the basis of the petitioner's representation dated 13.07.2020.

For Petitioner : Mr.B.Kubendrakumar
For R1 and R2 : Mr.V.Neelakandan
Additional Public Prosecutor(crl.side)

O R D E R

This Criminal Original Petition has been filed to direct the respondents 1 and 2 to give necessary police protection to the life and limb of the petitioner and the property comprised in Survey No.756/2 to an extent of 26 cents and Survey No.758/4B2A to an extent of 77 cents situated at Near E.B.Office, Eriyodu, Vedasanthur Taluk, Dindigul District on the basis of the petitioner's representation dated 13.07.2020.

2. The learned counsel for the petitioner would submit that the petitioner is the owner of the property comprised in Survey No.758/4B2 to an extent of 2 acres situated at near E.B.Office, Eriyodu, Vedasanthur Taluk, Dindigul District. He would further submit that the dispute between the petitioner and the 3rd respondent for the property comprised in Survey No.756/2 to an extent of 26 cents and Survey no.758/4B2A to an extent of 77 cents situated at Near E.B.Office, Eriyodu, Vedasanthur Taluk, Dindigul District. The petitioner filed a Suit in O.S.No.318 of 2018, before the sub Court, Vedasanthur along with Interlocutory Application in I.A.No.577 of



2018 seeking injunction and he also got injunction order in favour of him and the order is still in force. The grievance of the petitioner is that the 3rd respondent has illegally executed the sale deed to the 3rd persons in violation of the Court order. The petitioner executed a lease deed comprised in Survey No.758/4B2 to an extent of 2 acres to one Jeyaraman, the 3rd respondent and his henchmen trespassed into the petitioner's property and destroyed and when the same was questioned, the 3rd respondent threatened the petitioner with dire consequences. Hence, the petitioner made a complaint before the 2nd respondent on 13.06.2020. Since no action has been taken, again the petitioner has given a complaint on 13.07.2020 seeking police protection and the same also not considered by the respondent police. Hence, the petitioner is before this Court, with this present Criminal Original petition.

3.The learned Additional Public Prosecutor(Crl.side) appearing on behalf of the respondents 1 & 2, on instructions, would submit that the petitioner's complaint has been received and the same will be considered.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor (Crl.side) appearing for the respondents 1 & 2. Since no adverse order is going to be passed, notice to the 3rd respondents is dispensed with.

5.Recording the above submission made by the learned Additional Public Prosecutor(Crl.side), without going into the merits of the case, the respondents 1 & 2 are directed to consider and pass orders on the petitioner's representation dated 13.07.2020 after giving opportunity to the 3rd respondent, by following the principles laid down by the Hon'ble Apex Court in ***D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610*** and take appropriate action in the manner known to law, within a period of four weeks from the date of receipt of a copy of this order.

6.With the above directions, this criminal original petition is disposed of.
vrn

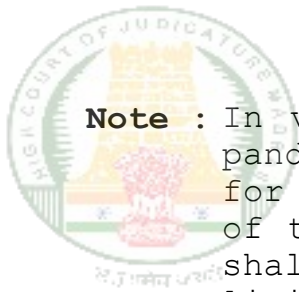
Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

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.

WEB COPY

To

- 1.The Superintendent of Police,
Dindigul District,
Dindigul.
2. The Inspector of Police,
Eriyodu Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD) No.14993 of 2020
DATED : 18.12.2020

CK(CO)
KB(25.01.2021) 3P 4C