



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.11.2020**

CORAM:

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

CrI.O.P. (MD)No.13064 of 2020

WEB COPY

Perumalsamy

... Petitioner

Vs.

1. The Superintendent of Police
Tenkasi District,
Tenkasi.
2. The Deputy Superintendent of Police
Alangulam,
Tenkasi District.
3. The Inspector of Police
Uthumalai Police Station
Tenkasi District.

4.Pandaram

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent to provide adequate police protection for life and limb of the petitioner against the fourth respondent at the time of construction of fencing in petitioner's property situated in S.No.410/2C2C to an extent of 57 cents of land of Vennilingapuram Village, Alangulam Taluk, Tenkasi District, on the basis of the petitioner's representation dated 26.09.2020 preferred by the petitioner in accordance with law.

For Petitioner : Mr.M.Sankar

For Respondents 1 to 3 : Mr.V.Neelakandan

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the second respondent to provide adequate police protection for life and limb of the petitioner against the fourth respondent at the time of construction of fencing in petitioner's property situated in S.no.410/2C2C to an extent of 57 cents of land of Vennilingapuram Village, Alangulam Taluk, Tenkasi District, on the basis of the petitioner's representation dated 26.09.2020 preferred by the petitioner in accordance with law.



2. The petitioner seeks police protection stating that the above said property is the ancestral property of the petitioner and he has executed a settlement deed dated 07.10.2013, to his wife. While being so, the fourth respondent has filed a suit in O.S.No.230 of 2013 for declaration and injunction against the petitioner and the same was decreed in his favour. Aggrieved over the same, the petitioner has preferred an appeal in A.S.No.111 of 2017 and got an order of permanent injunction in his favour on 29.08.2019. Therefore, the petitioner went for fencing the above said land. The fourth respondent illegally trespassed into the petitioner's land. Hence, the petitioner has forwarded a detailed representation dated 26.09.2020 to the respondents. So far, no action has been taken by the respondent police. Hence, the present petition.

3.The learned Additional Public Prosecutor appearing on behalf of the respondents 1 to 3, on instructions, would submit that the complaint of the petitioner, dated 26.09.2020, has been received by the respondent police.

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

5.Considering the submission made on either side, the respondents 1 to 3 are directed to consider the representation of the petitioner, dated 26.09.2020, within a period of two weeks from the date of receipt of a copy of this order and give police protection to the petitioner, if necessary. If it is found that police protection is not necessary, the same shall be communicated to the petitioner so that he can work out his rights in the manner known to law.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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 Superintendent of Police
Tenkasi District,
Tenkasi.
2. The Deputy Superintendent of Police
Alangulam,
Tenkasi District.
3. The Inspector of Police
Uthumalai Police Station
Tenkasi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. [MD] No.13064 of 2020
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