



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P(MD)No.15524 of 2020

M.Sabin

... Petitioner

Vs

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

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

3. The Tahsildar,
Peraiyur Taluk,
Madurai District.

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the first and second respondents to provide adequate police protection while the third respondent and other revenue officials are measuring and lay the boundary stones in the petitioner's land in Survey No.174/9A2 measuring 15 cents situated in Chinnapoolampatti Village, Peraiyur Taluk, Madurai District.

For Petitioner : Mr.V.Panneer Selvam

For R1 to R3 : Mr.V.Neelakandan,

Additional Public Prosecutor(Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the first and second respondents to provide adequate police protection while the third respondent and other revenue officials are measuring and laying the boundary stones in the petitioner's land in Survey No.174/9A2 measuring 15 cents situated in Chinnapoolampatti Village, Peraiyur Taluk, Madurai District.

2. The learned counsel for the petitioner would submit that the petitioner purchased the property in Survey No.174/9 at Chinnapoolampatti Village, Peraiyur Taluk, Madurai District vide



sale deed dated 04.11.2010. Thereafter, on the application of the petitioner, the land was subdivided as 174/9A2 and patta was also issued. While so, one Alagarsamy filed a petition before the Revenue Divisional Officer against the said sub division, which was rejected on 19.07.2013. Thereafter, an appeal preferred by the said Alagarssamy was also dismissed on 13.06.2014. Now the Alagarsamy is obstructing the petitioner from entering into her property. Therefore, the petitioner made a representation to the revenue officials to measure the land. Accordingly, the land was measured and boundary stones were laid. Even thereafter, the said Alagarsamy is obstructing the petitioner. Hence, the petitioner made a complaint to the respondents. However no action has been taken. Thereafter, the petitioner made a representation on 13.10.2020 seeking measure land and lay boundary stones. So far, no action has been taken by them. Hence, this 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 has been received and enquiry on the same is pending.

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

5.Recording the above submission made by the learned Additional Public Prosecutor, without going into the merits of the case, the respondents 1 to 3 are directed to consider and take action on the petitioner's representation dated 13.10.2020 after giving opportunity to the necessary parties 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.*** The said exercise shall be completed 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.

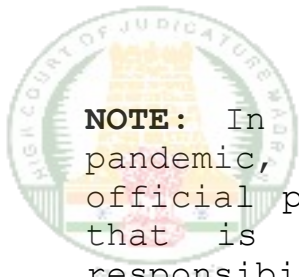
Sd/-

Assistant Registrar (AD-II)

// 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.

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To:-

1. The Deputy Superintendant of Police,
Peraiyur,
Madurai District.
2. The Inspector of Police,
Peraiyur Police Station,
Peraiyur,
Madurai District.
3. The Tahsildar,
Peraiyur Taluk,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD)No.15524 of 2020
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