



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2020

CORAM:

WEB COPY

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

Crl.O.P. (MD).No.13381 of 2020

Kumaravalli

....Petitioner

-Vs-

1.The Superintendent of Police
Ramanathapuram,
Ramanathapuram-District.

2.The Deputy Superintendent of Police,
Thiruvadanai,
Ramanathapuram-District.

3.The Inspector of Police,
Thirupalaikudi Police Station,
Ramanathapuram-District.

4.Annadurai

5.Manimegalai

...Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to direct the Respondents 1 to 3 to provide necessary police protection, to the petitioner's life and limb, and for the peaceful living in her home and her property, by considering the petitioner's representation dated 24.10.2020.

For Petitioner : Mr.D.Balamuruga Pandi.

For R1 to R3 : Mr.V.Neelakandan

Additional Public Prosecutor

For R4 & R5 : Mr.Jayaram

O R D E R

This Criminal Original Petition has been filed to direct the Respondents 1 to 3 to provide necessary police protection, to the petitioner's life and limb, and for the peaceful living in her home and her property, by considering the petitioner representation dated 24.10.2020.

2.The learned counsel appearing for the petitioner would submit that due to the property dispute between the petitioner and the respondents 4 and 5, the petitioner made a representation, dated



24.10.2020 to the respondent police for police protection. But so far, no action has been taken. Hence, the present petition.

3.The learned Additional Public Prosecutor appearing for the respondents 1 to 3, on instructions, would submit that earlier the petitioner's husband gave a complaint against the respondents 4 and 5 and the same was taken as CSR.No.115 of 2020 and after enquiry, it was closed on 12.06.2020. Again the petitioner's husband made the second complaint, after enquiry, the same was closed on 19.10.2020. Thereafter, the petitioner made the third complaint against the respondents 4 and 5 and stating that the property in dispute belongs to her forefather who were doing cultivation nearly several decades and the said complaint is pending. The learned Additional Public Prosecutor further submitted that the fourth respondent herein has filed a petition in Crl.O.P(MD).No.7861 of 2020 for fencing his property with police protection where this Court by an order dated 29.07.2020 closed the same with a direction to survey his land.

4.At this juncture, the learned counsel for the petitioner would submit that the petitioner has got no objection for the third respondent to survey the property in the manner known to law.

5.Heard the learned counsel appearing on either side.

6.Considering the facts and circumstances of the case, the petitioner is at liberty to approach the Revenue Authority and give proper application for surveying her land by paying appropriate fee and thereafter, request for police protection, if necessary and if the petitioner gives such representation for police protection for surveying the land, the respondents/police shall consider the same and give protection, if necessary.

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

Sd/-

Assistant Registrar (CS-II)

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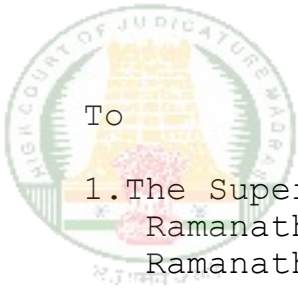
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Sub Assistant Registrar(CS)

msa

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.

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



To

1.The Superintendent of Police
Ramanathapuram,
Ramanathapuram-District.

2.The Deputy Superintendent of Police,
Thiruvadanai,
Ramanathapuram-District.

3.The Inspector of Police,
Thirupalaikudi Police Station,
Ramanathapuram-District.

4.The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.

+1cc to Mr.Jayaram, Advocate Sr.No.23572

ORDER MADE IN
Crl.O.P.(MD).No.13381 of 2020
01.12.2020

VB (08.01.2021) 3P 6C