



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CrI.O.P (MD)No.13478 of 2020

C.Saraswathi

... Petitioner

Vs

1.The Superintendent of Police
Theni District,
Theni.

2.The Inspector of Police,
Mayiladumparai Police Station,
Theni District.

3.Manoharan

... Respondents

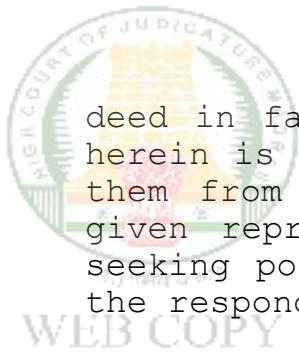
PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondents 1 & 2 to give adequate police protection to the petitioner's life and limb and also to cultivate in her property in Survey No.1821/4 measuring 1 acre 14 cent situated at Mayiladumparai Village, Andipatti Taluk, Theni District.

For Petitioner : Mr.K.Sathish Kumar
For R1 & R2 : Mr.V.Neelakandan,
Additional Public Prosecutor(CrI.Side)

O R D E R

This Criminal Original Petition has been filed to direct the respondents 1 & 2 to give adequate police protection to the petitioner's life and limb and also to cultivate in her property in Survey No.1821/4 measuring 1 acre 14 cent situated at Mayiladumparai Village, Andipatti Taluk, Theni District.

2. The learned counsel for the petitioner would submit that the property bearing Survey No.1821/4, Mayiladumparai Village, Andipatti Taluk, Theni District, measuring 1 acre 14 cent is the ancestral property of the petitioner's husband. In 1988, the grandfather of the petitioner's husband had executed a will in favour of the petitioner's husband. According to the petitioner, patta of the subject property was wrongly entered in the name of one Mayakrishnan and Ganesan. By using the said patta, the above said persons are trying to grab the land. Hence, the petitioner filed O.S.No.26 of 2015, seeking the relief of declaration and permanent injunction. Based on the order passed in the said suit, the concerned Tahsildar had issued patta in the name of petitioner's husband. On 03.10.2019, the petitioner's husband executed a gift



deed in favour of the petitioner. Thereafter, the third respondent herein is threatening the petitioner and her husband and preventing them from cultivating in the land. Therefore, the petitioner had given representation to the respondent Nos 1 & 2 on 09.09.2020, seeking police protection. But, so far no action has been taken by the respondent police. Hence, the petitioner is before this Court.

3.The learned Additional Public Prosecutor appearing on behalf of the respondents 1 & 2, on instructions, would submit that the complaint of the petitioner, dated 09.09.2020, has been received by the respondent police and the enquiry is pending.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1& 2.

5.Considering the submission made on either side, the respondents 1 & 2 are directed to consider the representation of the petitioner, dated 09.09.2020 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)

vrn

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
Theni District,
Theni.

2.The Inspector of Police,
Mayiladumparai Police Station,
Theni District.

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



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

WEB COPY

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BK(CO)
TR(07.12.2020) 3P 4C