



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.15091 of 2020

K.Suryaprasanna

... Petitioner

vs.

1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2. The Deputy Superintendent of Police,
Srivaigundam,
Thoothukudi District,

3. The Inspector of Police,
Kurumbur Police Station,
Thoothukudi District.

4. D.T.Guna

5. Mahendran

6. Selvakumar

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents to give adequate police protection for the life and limb of the petitioner and his family members for continuing his agricultural activities in his land based on the representation dated 23.11.2020.

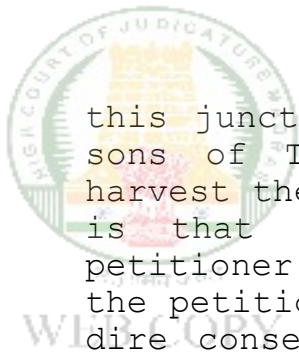
For Petitioner : Mr.S.Mandhiralingeswaran

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 to give adequate police protection for the life and limb of the petitioner and his family members for continuing his agricultural activities in his land based on the representation dated 23.11.2020.

2. The learned counsel for the petitioner would submit that the petitioner is the owner of the Nanja lands bearing Survey Nos. 384, 389/2 & 875 comprised in Patta No.2382, Survey Nos. 816/3 comprised in Patta No.2382, Survey Nos. 816/3 comprised in Patta No.738, Survey Nos. 816/5B & 816/4B comprised in Patta No.2383 and Survey Nos. 816/1 comprised in Patta No.2381 vide registered gift settlement deed in Doc.No.2094 of 2019. According to the petitioner, the above said property is an undivided property and mutated as a joint patta in the name of the petitioner and one Thiraviyam. At



this juncture, one D.T.Guna, Mahendran and Selvakumar, who are the sons of Thiraviyam interrupted the petitioner to cultivate and harvest the paddy crops in his land. The grievance of the petitioner is that though all the revenue records are mutated in the petitioner's name, the respondents 4 to 6 are making hindrance to the petitioner's agricultural activities and giving life threat with dire consequences. Hence, the petitioner sent a representation to the respondents on 23.11.2020, seeking police protection. Since no action has been taken by them, 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 to 3, on instructions, would submit that the petitioner's representation has been received, CSR No.292 of 2020 has been assigned on 16.12.2020 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 to 3. Since no adverse order is going to be passed, notice to the 4 to 6 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 to 3 are directed to consider the petitioner's representation dated 23.11.2020, after giving opportunity to the respondents 4 to 6, 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.

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.



To

- 1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
2. The Deputy Superintendent of Police,
Srivaigundam,
Thoothukudi District,
3. The Inspector of Police,
Kurumbur Police Station,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD) No.15091 of 2020

DATED : 18.12.2020

(CO)

kv(08.02.2021) 3P 5C