



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD)No.14658 of 2020

A.R.Srinivasan

... Petitioner

Vs

1.The Superintendent of Police
Palayamkottai,
Tirunelveli District.

2.The Sub-Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli District.

3.Joseph

4.Vel Murugan

...Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the 1st respondent to direct the 2nd respondent to give adequate police protection to the life and limb of the petitioner by considering the petitioner's representation dated 26.11.2020, within the period as stipulated by this Court.

For Petitioner : Mr.AA.Haja Mohideen

For R1 & R2 : Mr.V.Neelakandan,

Additional Public Prosecutor(Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the 1st respondent to direct the 2nd respondent to give adequate police protection to the life and limb of the petitioner by considering the petitioner's representation dated 26.11.2020, within the period as stipulated by this Court.

2.The learned counsel appearing for the petitioner would submit the property in Survey No.278, an extent of 34 cents situated at Kandiyapaeri Village, Tirunelveli Taluk, Tirunelveli through registered settlement deed Document No.1002 dated 12.07.2019 is the petitioner's ancestral property. According to the petitioner, there was an oral lease agreement between the respondents 3 & 4 and the petitioner that the respondents will cultivate in the petitioner's land and give 4 to 6 bags of paddy per year to the petitioner. Initially, the respondents was prompt in giving paddy to the petitioner and later on, they failed to do so. The grievance of the petitioner is that, while questioning the same, the respondents 3 & 4 threatening the petitioner. Hence, the petitioner gave representation to the 2nd respondent on 01.11.2020. Since no action has been taken by them, the petitioner sent another representation



on 26.11.2020 to the 1st respondent and the same was also not considered. Therefore, the petitioner has come before this Court, with this present Criminal Original Petition.

3.The learned Additional Public Prosecutor(Crl.side) appearing on behalf of the respondents 1 & 2, on instructions, would submit that the petitioner has given complaint before the Tirunelveli Rural police station, instead of City limit. He would further submit that the petitioner may be directed to be given representation to the Tirunelveli Town police station and on receipt the same, the second respondent police will consider it.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 & 2. Since no adverse order is going to be passed, notice to the 3 & 4 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 petitioner is directed to give fresh representation to the second respondent herein, and on receipt of the same, the second respondent is directed to consider the petitioner's representation, after giving opportunity to the other side, 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 (CS-II)

// True Copy //

/ /2021

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
Palayamkottai,
Tirunelveli District.
- 2.The Sub-Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P (MD) No.14658 of 2020
14.12.2020

MJ(CO)
KB(03.02.2021) 3P 4C