



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.15103 of 2020

M.Periyasamy

... Petitioner

Vs.

1.The Inspector of Police,
T.Kallupatti Police Station,
T.Kallupatti,
Madurai District.

2.The Sub Inspector of Police,
Nagaiyapuram Police Station,
Nagaiyapuram,
Peraiyur Taluk,
Madurai District.

3.Vembadiyan

4.K.Kumar

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents 1 and 2 to provide adequate police protection to the petitioner for doing his agricultural activities in Survey Nos.125/1, 125/2A, 127/7A, 7B, 3A1A and 125/2B1, 123/1, 125/12 for a total extent of 13 acres situated at 21, Mathippanoor Bit 1, Tirumangalam Taluk, Madurai District.

For Petitioner : Mr.P.Arun Jayatram

For Respondents 1 & 2 : Mr.V.Neelakandan

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed directing the respondents 1 and 2 to provide adequate police protection to the petitioner for doing his agricultural activities in Survey Nos.125/1, 125/2A, 127/7A, 7B, 3A1A and 125/2B1, 123/1, 125/12 for a total extent of 13 acres situated at 21, Mathippanoor Bit 1, Tirumangalam Taluk, Madurai District.

2.The learned counsel for the petitioner would state that the Village Administrative Officer has issued Adangal extract stating that the petitioner is the cultivating tenant and cultivating paddy crops in the above mentioned property. The third respondent after extracting an amount of Rs.14 lakhs from the petitioner and his brother for getting execution of sale deed in the name of the petitioner and his brother in the above said agricultural land. But the third respondent registered sale deed in



his name. A dispute arose between the petitioner and the third respondent regarding the cultivation of the land and registration of sale deed. So, the third respondent instigated the fourth respondent to disturb the peaceful possession and enjoyment of the petitioner. When the petitioner questioned the illegal activities of the respondents 3 and 4, they threatened the petitioner with dire consequences. Therefore, the petitioner lodged a complaint on 23.04.2020. Since no action was taken, the petitioner made a representation on 02.11.2020, to the Superintendent of Police, requesting to take action and sought for police protection. Hence, the present petition.

3.The learned Additional Public Prosecutor would state that based on the petitioner's complaint dated 23.04.2020, enquiry has been conducted in CSR No.28 of 2020 dated 23.04.2020 and the same is pending.

4.Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor. In view of the order going to be passed, notice to the respondents 3 and 4 is not necessary.

5.Recording the above submission made by the learned Additional Public Prosecutor, without going into the merits of the case, the respondents 1 and 2 are directed to consider and pass appropriate orders on the petitioner's representation, dated 02.11.2020 after giving notice to the respondents 3 and 4, 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***, in the manner known to law within a period of four weeks from the date of receipt of a copy of this order. It is needless to say that the petitioner shall co-operate with the respondent police and produce the relevant documents to enable them to take action.

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

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Inspector of Police,
T.Kallupatti Police Station,
T.Kallupatti,
Madurai District.
- 2.The Sub Inspector of Police,
Nagaiyapuram Police Station,
Nagaiyapuram,
Peraiyur Taluk,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P.[MD]No.15103 of 2020
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