



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.19322 of 2021

Chandrakala

W/o.Sampathkumar

... Petitioner

Vs.

1.The Superintendent of Police,
Dharmapuri District
District Police Headquarters
Collectorate Post
Dharmapuri - 636 705
Dharmapuri District.

2.The Inspector of Police
Palacode Police Station
Palacode
Dharmapuri District.

3. G.Murugan

4.M.Sabareesan

5.M.Rajasekar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 1st Respondent to grant police protection to the survey and sub division work to be carried out and completed in S.No.96/3A Erranahalli Village, Palacode Taluk, Dharmapuri District measuring to an extent of 66 cents within the following boundaries; To the South and East of PWD Canal; To the West of Road from Palacode to Papparapatti; To the North of land of Murugan.

For Petitioner : Mr S.Subramanian

For Respondents : Mr.R.Vinothraja
Government Advocate (Cr1.Side)
For Respondents 1 & 2



ORDER

(This case has been heard through video conference)

This petition has been filed seeking for a direction, to direct the 1st Respondent to grant police protection to the survey and sub division work to be carried out and completed in S.No.96/3A Erranahali Village, Palacode Taluk, Dharmapuri District.

2.The contention of the petitioner is that the petitioner herein is the resident of Veppalahalli Village, Palacode Taluk and she had purchased a property under a registered sale deed dated 20.06.2018 in Doc.No.1589 of 2018 on the file of the Sub Registrar's Office at Palacode. She would further submit that when the petitioner decided to put up barbed wire fencing enclosing her land to prevent any sort of illicit encroachment of her property since the same lies abetting the main road from Palacode to Papparapatti and desired to have the said land be subjected to sub division to enable her to get separate patta for her land after sub division, she has submitted application to the concerned Tahsildhar, Palacode on 29.04.2021 seeking sub division of the said land separately and for the grant of separate patta in her name and submitted all the relevant records required for carrying out such sub division and patta and she has also deposited the requisite fee of Rs.400/- as prescribed by the Government of Tamil Nadu and had completed all the legal and technical formalities in the manner known to law.

3.The petitioner would further contend that when the concerned officials came to the above said land in S.No.96/3A in Erranahalli Village, Palacode Taluk, Dharmapuri District to commence their official duty, the respondents 3 to 5, who were summoned there to be present during the survey since they are the co-pattadars, they have started to obstruct the work and subjected the Revenue Officials to vulgar abuse and threat, hence, the officials could not carry out their official duty. Hence, the petitioner submitted a petition dated 06.07.2021 to the 2nd respondent seeking for a police protection for the purpose of carrying out fencing work, but till date the respondent police has not considered her petition and the delay in considering the request of the petitioner for police protection has caused great hardship and irreparable loss to the petitioner and her legitimate rights stand prejudiced very seriously. Hence she is



constrained to file this petition seeking for an appropriate direction.

4.It is seen that the petitioner had already sent a representation to the respondent police seeking police protection to survey her land and also finding that the petitioner has sought permission of the concerned Tahsildhar and remitted the required fee for verification of the document, this Court is inclined to allow this petition.

5.In view of the above, the petitioner is hereby directed to intimate the respondent police about the date and time of inspection fixed by the Revenue Officials for the survey of her land, thereafter, the respondent police is hereby directed to provide necessary police protection to the Revenue Officials and carryout their official duty.

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

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

kas / jeni

To

- 1.The Superintendent of Police,
Dharmapuri District
District Police Headquarters
Collectorate Post
Dharmapuri - 636 705
Dharmapuri District.
- 2.The Inspector of Police
Palacode Police Station
Palacode, Dharmapuri District.
- 3.The Public Prosecutor
High Court of Madras, Chennai 600 104.

CRL.O.P.No.19322 of 2021

RLD(CO)
SB(10/11/2021)