



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2021

CORAM:

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

Crl.O.P. No.5606 of 2017

1. R. Rajendran,
2. M. Rajeswari,
3. R. Mangaleswaran,
4. R. Parameswaran

...Petitioners

Vs.

The State rep. by
The Inspector of Police,
S-5, Sankar Nagar Police Station,
Pammal, Chennai - 600 075.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent police to give protection to the petitioners from Gnanamani and his persons.

For Petitioners	:	No Appearance
For Respondent	:	Mr. S. Vinodkumar (Counsel for Govt. (Crl. Side))

O R D E R

This Criminal Original petition has been filed under Section 482 Cr.P.C. seeking for to direct the respondent police to give protection to the petitioners from Gnanamani and his persons.

2. When the matter is taken up for hearing, there is no appearance on behalf of the petitioners, however, on perusal of the record, the case of the petitioner is that the father of the petitioners was an ex-serviceman and while he was in service, he was allotted an agricultural land comprised in Survey No.288, Pozhichalur Village, Kancheepuram District measuring an extent of Acres 5.15 cents by the Assistant Director, Ex-Servicemen Welfare, Tambaram, Chennai - 600 045 on 23.11.1970. While their father is alive, he had executed an unregistered Partition Deed dated 15.12.2011 by partitioning the properties owned by him among his sons and daughter. Thereafter, the petitioners are in absolute possession and enjoyment of the same and they have also paying the necessary taxes till date. In the year 2015, the District Collector, Kanchipuram and the Tahsildar, Alandur



through their sub-ordinates came to the properties of the petitioners and threatened them to evict from the said land, as if the petitioners are not owners of the said land. Hence, no other alternative, the petitioners approached this Hon'ble High Court by filing a Writ petition in W.P. No.12094 of 2015 to consider the representation dated 16.02.2015 to re-allot the said vacant lands in favour of the petitioners by the 1st respondent therein and consequently, direct the respondents 2 and 3 therein not to disturb the petitioners' peaceful possession and enjoyment of the said lands. This Court by its order dated 23.04.2015 has allowed the petition. Even after the Court order, one Gnanamani, Former President of Pozhichalur and his persons are trying to encroach the lands in an illegal manner and they are threatening the petitioners that if the petitioners are not heeded to their words, they would face dire consequences. Hence, the petitioners gave a complaint before the respondent herein 03.03.2017 to take action on the above said complaint and to take action against them and further to give protection to their life and limb. But till date, no action has been taken by the respondent on their complaint. Hence, the petitioners are constrained to file this petition seeking for to give police protection to the petitioners.

3. The learned Government Advocate (Crl. Side) Submitted that it seems that after filing this petition, the petitioners have not moved this petition for further action in this regard as there is no dispute in the land issue.

4. Since no further steps have been taken by the petitioners in this case even though the case is of the year 2017, it seems from the no appearance for the petitioners herein that the said offence is not continued as stated in the petition against the petitioners herein.

5. In view of the above, this petition stands dismissed. However, the petitioner is at liberty to approach the Police concerned seeking for police protection if the said offence is continued by the said offenders.

s/d-
Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

Lbm



To:

1. The State rep. by
The Inspector of Police,
S-5, Sankar Nagar Police Station,
Pammal, Chennai - 600 075.

2. The Additional Public Prosecutor,
High Court of Madras,
Chennai.

Cr1.O.P. No.5606 of 2017

KV(CO)
LS(10/08/2021)