



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 23.12.2021
CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.25125 of 2021

Mrs.P.Selvam

... Petitioner

Versus

- 1.The Superintendent of Police,
The office of the Superintendent of Police,
Ariyalur District.
- 2.The State,
Rep. by the Inspector of Police,
Meensuruti Police Station,
Udayar Palayam Taluk,
Ariyalur.
- 3.Kannaiyan
- 4.Duraisammantham
- 5.Ramamirtham
- 6.Renganathan
- 7.Manickarasi
- 8.Balakrishnan
- 9.Jeyaraj

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the first and second respondents to provide the police protection to the petitioner land bearing survey Nos.46/11A1, 38/9 and Patta No.2008 situated at Kuttakarai Village, Katakaram (V), Udayar Palayam Taluk, Ariyalur District, which is belonged by consider to petitioner.

For Petitioner : Mr.Velumaniyan

For R1 & R2 : Mr.E.Raj Thilak
Additional Public Prosecutor

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O R D E R

This Criminal Original Petition has been filed by the petitioner. The petitioner had sent a representation on 10.12.2021, to the respondent police seeking police protection for surveying the land bearing survey Nos.46/11A1, 38/9 and Patta No.2008 situated at Kuttakarai Village, Katakaram (V), Udayar Palayam Taluk, Ariyalur District. No action has been taken. Hence filed this present petition.

<https://hcservices.ecourts.gov.in/hcservices/> 2.The contention of the petitioner is that the petitioner's husband passed away on 15.03.2017. After his



demise the petitioner wanted to survey the land bearing survey Nos.46/11A1, 38/9 and Patta No.2008 situated at Kuttakarai Village, Katakaram (V), Udayar Palayam Taluk, Ariyalur District. Earlier when the Revenue Department Surveyor had come to survey the land one Kannaiyan, Duraisambantham, Ramamirtham, Renganathan, Manickarasu, Balakrishnan and Jeyaraj had obstructed the officials from carrying out the survey work and also threatened them. These are the persons, who are encroached upon the petitioner's land. Thereafter on 04.02.2021, the petitioner had given a representation to the Tahsildar. Based on the representation, an enquiry was conducted with the above said seven persons about the encroachment upon the land of the petitioner and the obstruction. The Surveyor and the Tahsildar, instructed the petitioner to get police protection and thereafter only the officials would be able to survey the land and here mark the boundaries.

3.He further contended that the petitioner submitted his representation along with the patta and the same were verified and compared with the revenue records and thereafter, the Tahsildar had issued notice to the above seven named persons, who are all causing obstruction. Finding that the obstruction seems to be an unreasonable one. The Tahsildar permitted the petitioner to remit the fee for surveying the above said land. Thereafter, the survey fees has been paid. The copy of the same is produced before this Court.

4.The learned Additional Public Prosecutor submits that the respondent police had not received any complaint from the Tahsildar or the Surveyor with regard to the obstruction and threat faced by them from the said Kannaiyan, Duraisambantham, Ramamirtham, Renganathan, Manickarasu, Balakrishnan and Jeyaraj. If any representation is made by the Tahsildar and the Surveyor necessary police protection would be provided to carry out the survey work.

5.Considering the submissions and on perusal of the materials, it is seen that the land is in the name of the petitioner and patta for the said land was produced and the same was verified by the Tahsildar. Thereafter,, the challan has been issued and the survey fees remitted and the copy is produced before this Court. The above said seven persons viz., Kannaiyan, Duraisambantham, Ramamirtham, Renganathan, Manickarasu, Balakrishnan and Jeyaraj or any other persons have any objections or causing obstruction or stopping the Government officials to carry on their official work, the respondent police to take necessary action. In view of the same, the respondent police is directed to provide necessary police protection to carry out the survey work in the said land owned by the petitioner bearing survey Nos.46/11A1, 38/9 and Patta No.2008 situated at Kuttakarai Village, Katakaram (V), Udayar Palayam Taluk, Ariyalur District.



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

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Sd/-
Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
The office of the Superintendent of Police,
Ariyalur District.

2. The Inspector of Police,
Meensuruti Police Station,
Udayar Palayam Taluk,
Ariyalur.

3. The Public Prosecutor,
High Court,
Madras.

+2 ccs to Mr. Velumaniyan, Advocate Sr. NO. 77

CRL.O.P.No.25125 of 2021

SMI (CO)
A.SK(12.01.2022)