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Crl.O.P.(MD).No.503 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.01.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

Crl.O.P. (MD) .No.503 of 2021

and

Crl.M.P(MD) .No.235 of 2021

Ganesan

... Petitioner

Vs.

1.The Superintendent of Police,
Madurai District,
Madurai.

2.The Inspector of Police (L&O),
Othakadai Police Station,
Othakadai, Madurai District.

3.The Land Surveyor,
Madurai North Taluk,
Madurai.

4.The Sub Inspector of Police,
Karuppayurani Police Station,
Karuppayurani, Madurai District.

5.Thiyagarajan

... Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to direct the first and second respondents to grant police protection to the petitioner's patta land in Survey No.58/4A1B and 58/6 (Plot No.35) as well as for the ongoing construction of Parapet Wall over the four boundaries of the Plot No.35 in Sy. No.58/4A1B and 58/6 (Plot No.35) in Subashini Nagar at Karuppayurani Village, Madurai North Taluk, Madurai District.

For Petitioner

: Mr.P.M.Vishnuvarthanan

For R1 to R4

: Mr.A.Robinson

Government Advocate (Criminal side)

O R D E R

The present petition has been filed by the petitioner under Section 482 Criminal Procedure Code seeking for a direction to the respondents 1 and 2 to give adequate police protection to his patta land.

2.The main grievance of the petitioner is that the fourth respondent/Sub-Inspector of Police, Karuppayurani Police Station, who is not the jurisdictional police, is interfering with the

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petitioner from constructing compound wall around his property at the instigation of the private respondent(fifth respondent herein). His further contention is that though he lodged a complaint with the Inspector of Police, Othakadai Police Station in this regard, no action was taken by the Police till date.

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3.Per contra, Mr.A.Robinson, learned Government Advocate (Criminal.side), who accepts notice on behalf of the respondents 1 to 4, would contend that the complaint of the petitioner was registered as CSR.No.916 of 2020 and based on the petitioner's undertaking that he would fence his property, after measurement made by the surveyor, the complaint was closed.

4.Now, the grievance of the petitioner is that the fifth respondent is not allowing him to fence his property.

5.Considering the aforesaid submissions, the petitioner is directed to give fresh representation to the Inspector of Police, Othakadai Police Station within a period of fifteen(15) days from the date of receipt of a copy of this order and on receipt of such representation, the second respondent is directed to consider the same, within a period of one month thereafter, after giving notice to the private respondent.

6.With the above observations, the Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmk

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,
Madurai District,
Madurai.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Inspector of Police (L&O),
Othakadai Police Station,
Othakadai, Madurai District.

3.The Land Surveyor,
Madurai North Taluk,
Madurai.

4.The Sub Inspector of Police,
Karuppayurani Police Station,
Karuppayurani, Madurai District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.P.M.VISHNU VARTHANAN, Advocate (SR-1260[F] dated
19/01/2021)

Crl.O.P. (MD) .No.503 of 2021
19.01.2021

VB (05.02.2021) 3P 7C