



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.09.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P. (MD) No.12753 of 2021

C.Susikumar

... Petitioner

Vs.

1.State through The Superintendent of Police,
Superintendent Office,
Theni District.

2.The Deputy Superintendent of Police,
Aundipatti,
Theni District,

3.The Inspector of Police,
Rajathani Police Station,
Aundipatti,
Theni District.

4.The Sub Inspector of Police,
Kanniyapillalipatti Police Station,
Aundipatti Taluk,
Theni District.

5.Kannadasan

6.U.Elangiyan

7.Vijayan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 2nd and 3rd respondents to give police protection for the petitioner's life and limb as well as to survey the property and to fix a boundaries stone in survey No.107/1 measuring 1 acre 70 cents in patta No.6528 situated at Pitchampatti Panchayat, Aundipatti Sub Division, Theni on the basis of the representation dated 19.08.2021.

For Petitioner : Mr.M.Subash Babu

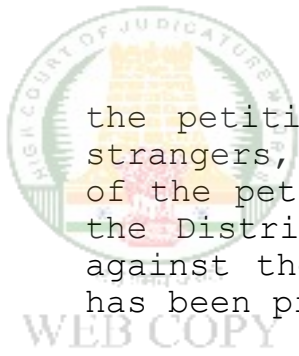
For R1 to R4 : Mr.K.Sanjai Gandhi

Government Advocate (Crl.Side)

ORDER

This petition is filed seeking police protection, on the basis of the representation dated 19.08.2021.

2.The case of the petitioner is that the property in S.No.107/1, measuring an extent of 1 acre and 70 cents situated at Pitchampatti Panchayat, Aundipatti Sub Division, Theni belongs to



the petitioner through purchase. The respondents 5 to 7, who are strangers, have frequently disturbed the possession. So, the vendor of the petitioner filed a suit in O.S.No.125 of 2013 on the file of the District Munsif Court, Aundipatti seeking permanent injunction against the respondents 3 to 7. The suit was decreed and no appeal has been preferred by the private respondents .

3.The petitioner applied for separate patta. On 29.03.2021, the Head Surveyor came to the property for the purpose of demarcating the boundary and at that time, the private respondents made trouble, based upon which, the petitioner made representation.

4.When the matter was taken up for hearing on 03.09.2021, the learned Additional Public Prosecutor appearing for the respondents 1 to 4 would submit that on the basis of the representation made by this petitioner, enquiry was undertaken in CSR.No.360 of 2021 and it is now pending. For the purpose of intimating the outcome of the enquiry, the matter was directed to be listed today.

5.When the matter is taken up for hearing today, the learned counsel appearing for the petitioner would submit that the petitioner appeared before the Enquiry Officer twice. The private respondents did not appear, in spite of the summons.

6.Considering the limited request that has been made by this petitioner in this petition, there shall be a direction to the petitioner to take steps for measuring the property through the Taluk Surveyor, Auntipatti Taluk. The Taluk Surveyor, Auntipatti Taluk, shall undertake to enquire under Section 10 of the Tamil Nadu Survey and Boundaries Act, 1923, by giving proper notice to the petitioner as well as the private respondents herein. Depending upon the outcome of the enquiry, he may take further steps to measure the property and if any trouble arises at the hands of the private respondents herein, he can give a representation to the 3rd respondent herein, who in turn, shall consider the same on merits and provide police protection, if necessity arises for measuring the property. The said exercise shall be completed within a period of one month from the date of receipt of a copy of this order.

7.With the aforesaid directions, this petition stands disposed of.

Sd/-

Assistant Registrar (CS III)

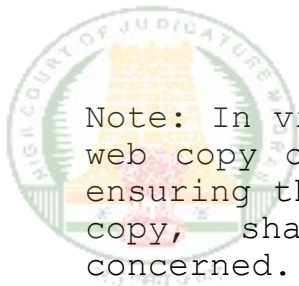
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/ /2021

Sub Assistant Registrar(CS)

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



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.

WEB COPY

To

- 1.The Superintendent of Police,
Superintendent Office,
Theni District.
- 2.The Deputy Superintendent of Police,
Aundipatti,
Theni District,
- 3.The Inspector of Police,
Rajathani Police Station,
Aundipatti,
Theni District.
- 4.The Sub Inspector of Police,
Kanniyapillalipatti Police Station,
Aundipatti Taluk,
Theni District.

Copy to:

- 1.The Taluk Surveyor,
Aundipatti Taluk,
Theni District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.SUBASH BABU, Advocate (SR-31103[F] dated 04/10/2021)

CrI.O.P. (MD) No.12753 of 2021

30.09.2021

SRK(CO)/RS (13.10.2021) 3P 8C