



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2021

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.16554 of 2021

Ramjan Beevi

... Petitioner

Vs.

1.The Superintendent of Police,
O/o. Superintendent of Police,
Ramanathapuram,
Ramanathapuram District.

2.The Inspector of Police,
Tiruppullani Police Station,
Ramanathapuram District.

3.Mohammed Kalanchiyam
4.Seyadhu Harish
5.Abbas Khan
6.Ithresh

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents 1 and 2 to consider the petitioner's representation dated 28.09.2021 for providing adequate police protection to the petitioner's life and to fencing the boundaries the petitioner's land with an extent of 8 cents situated in Survey No.72/1A2A, Periyapattinam Village, Ramanathapuram District, within a stipulated time that may be fixed by this Court.

For Petitioner

: Mr.R.Karunanidhi

For Respondents

: Mr.R.M.S.Sethuraman

1 And 2

Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to the respondents 1 and 2 to consider the petitioner's representation dated 28.09.2021 for providing adequate police protection to the petitioner's life and to fence the boundaries the petitioner's land.

2.The case of the petitioner is that he is the owner of property situated in Survey No.72/1A2A, Periyapattinam Village, Ramanathapuram District, in pursuance of the settlement deed dated 25.11.1997. Similarly, the mother of the petitioner also executed a settlement deed in favour of Nabisha Beevi, who is the sister of the petitioner, in respect of the property through document No.263 of 1997 dated 03.03.1997. Now they are in possession of their respective properties. The private respondents who are having no



right over the property are making trouble. Therefore, a representation has also been made for measuring the property that was also done on 27.05.2021 by the revenue officials and boundaries also fixed. Even after that trouble has been made by the private respondents. Hence, again a representation was made by the petitioner. Since the same was not acted upon, this petition has been filed.

3.The learned Additional Public Prosecutor submitted that based upon the representation made by the petitioner, enquiry was undertaken in C.P.No.24836 of 2021 and during the course of enquiry, private respondents appeared and gave a statement to the effect that they would measure the property and workout their remedy through appropriate proceedings. The petitioner did not give any such statement. Based upon the undertaking given by the private respondents, it was closed on 19.09.2021.

4.Since already representation made by the petitioner has been closed with a direction to the petitioner and the private respondents to measure the property that must be complied with. Without complying the above said direction and advise, the petitioner has filed a petition seeking police protection. Since the dispute is with regard to the fixing of boundary stones, the petitioner cannot claim any right regarding the police protection.

5.Let the petitioner comply the advise given by the second respondent herein in the above said enquiry. After measuring the same fix the boundary stones. If any trouble arises the petitioner can workout his remedy through proper proceedings. I find no merits in this petition.

6.This criminal original petition is dismissed with the above directions.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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,
Office of Superintendent of Police,
Ramanathapuram District.

2.The Deputy Superintendent of Police,
Tiruppullani Police Station,
Ramanathapuram District.

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

Crl.O.P. (MD) No.16554 of 2021

28.10.2021

MMS (CO)

GC/SKN(17.11.2021) 3P 4C