



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2022

CORAM:

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.No.3006 of 2022

K.S.Ramasamy

... Petitioner

Vs.

1. The Superintendent of Police,
Erode District,
Erode - 638 001.

2. The Sub Inspector of Police,
Appakoodal Police Station,
Appakoodal,
Erode District.

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to issue direction to the respondents to give necessary police protection for smooth enjoyment of the petitioner's lands comprised in R.S.No.53/18 of Moongilpatti Village, R.S.No.23/2 of Keelvani Village, Erode District in line with judgment and decree dated 03.11.2016 made in O.S.No.45 of 2005 on the file of the Ld.Sub Court, Bhavani by considering my petition dated 28.12.2021 and 04.02.2021 (CSR No.13/2021).

For Petitioner : Mr.N.Manoharan

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondents to give necessary police protection for smooth enjoyment of the petitioner's lands comprised in R.S.No.53/18 of Moongilpatti Village, R.S.No.23/2 of Keelvani Village, Erode District in line with judgment and decree dated 03.11.2016 made in O.S.No.45 of 2005 on the file of the Ld.Sub Court, Bhavani by considering my petition dated 28.12.2021 and 04.02.2021 (CSR No.13/2021).



2. Learned counsel for the petitioner would submit that the petitioner is the owner of the lands comprised in R.S.No.53/18 of Moongilpatti Village, R.S.No.23/2 of Keelvani Village, Erode District and he had purchased the property from the legal heirs of one Chokkanda gounder who has become the absolute owner of the property. Subsequently, few miscreants claiming themselves as the legal heirs of one Muthu, started creating problem and interfering with the possession of the petitioner. Thereby, the petitioner had given a complaint to the second respondent on 28.12.2021 and 04.02.2021 seeking for police protection. Since the respondents have not given a police protection, the petitioner had constrained to approach this Court.

3. Mr.A.Gokulakrishnan, learned Additional Public Prosecutor appearing for the respondents would submit that there are counter complaints pending before the respondents in respect of the very same property. He would submit that on the complaint given by the petitioner dated 28.12.2021 and 04.02.2021, the respondent police had registered a case in C.S.R.No.13 of 2021 and C.S.R.No.74 of 2021. In respect of the counter complaint given by one Kumarasamy, enquiry has been conducted in C.S.R.No.67/2021. The second respondent taking into consideration of the rival claim of the parties, had referred the matter to the RDO. Subject to the outcome of the result of the RDO enquiry, appropriate action will be taken by the second respondent.

4. Recording the same, this Criminal Original Petition stands closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

vri/shk

To

1. The Superintendent of Police,
Erode District,
Erode - 638 001.



2. The Sub Inspector of Police,
Appakoodal Police Station,
Appakoodal,
Erode District.

3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.N.Manokaran, Advocate Sr.9696

CRL.O.P.No.3006 of 2022

mt[co]
srg 16/03/2022