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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.2678 OF 2022

Mayandi

...Petitioner

-Vs-

1. The Commissioner of Police  
Harur panchayat Union,  
Harur,  
Dharmapuri District.
2. The Superintendent of Police  
Dharmapuri District,  
Dharmapuri
3. The Inspector of Police  
Pappireddipatti Police Station,  
Pappireddipatti,  
Dharmapuri District.
4. Ramesh
5. Suresh
6. Lakshman
7. Pilliar

..Respondents

Prayer :

Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, praying to direct the respondents 2 and 3 to provide police protection to the petitioner to carry out fishing operation in Keerapatti Chinna Eri Lake situated at Keerapatti Panchayat, Harur Taluk, Dharmapuri District based on the grant of lease for fishing right to the petitioner for a period from 2021 to 2025 as per the orders of the Commissioner, Panchayat Union, Harur in proceedings in Na.Ka No.2004 /2020/A2 dated 05.02.2021 and pass orders.



For Petitioner : Mr.V.Elangovan

For Respondents: Mr.A.Gokulakrishnan for R1 to R3  
Addl.Public Prosecutor

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O R D E R

This Criminal Original Petition has been filed to direct the respondents 2 and 3 to provide police protection to the petitioner to carry out fishing operation in Keerapatti Chinna Eri Lake situated at Keerapatti Panchayat, Harur Taluk, Dharmapuri District based on the grant of lease for fishing right to the petitioner for a period from 2021 to 2025 as per the orders of the Commissioner, Panchayat Union, Harur in proceedings in Na.Ka No.2004 /2020/A2 dated 05.02.2021.

2. Heard, learned counsel for the petitioner and learned Additional Public Prosecutor for the respondents 1 to 3.

3. The learned counsel for the petitioner submitted that the petitioner is the member of the Morappur Fishermen Co-operative Society and he had participated in the auction. He further submitted that the petitioner was the highest bidder for taking the fishing rights in Keerapatti, Chenna Eri lake and he has been granted the fishing rights from the year 2021 to 2025(5 years). Thereby, he paid necessary lease amounts and taken possession of the said Keerapatti, Chenna Eri lake and started fishing operation. Further, the respondents 4 to 7 who have no authority to prevent him from fishing operation have threatened him. Thereby, the petitioner has given the complaint to the Superintendent of Police, Harur Police Station, since no action has been taken, the present petition has been filed.

4.The learned Additional Public Prosecutor submitted that the 3<sup>rd</sup> respondent has been wrongly cited as Pappireddipatti Police Station and the complaint has been given to Harur town Police Station and the lake falls within the jurisdiction of Harur Town Police Station.

5. The petitioner who is the highest bidder has been granted fishing rights by the Commissioner, Harur Panchayat Union and he also paid the requisite lease amount to the Government and is entitled to carry on fishing. It is stated that the respondents 4 to 7 who have no rights whatsoever are causing trouble to him and preventing him from exercising his legal right. The 2<sup>nd</sup> respondent and his subordinates are bound to protect the interest of persons who have a legal right.

6.In view of the above, the petitioner is directed to give a fresh complaint to the 2<sup>nd</sup> respondent and to the Inspector of



Police, Harur Town Police Station and the Inspector of Police, Harur Town Police Station shall enquire into the matter and provide suitable and adequate protection to the petitioner.

7. Accordingly, this Criminal Original Petition is ordered.

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Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vkr/nr

To

1. The Commissioner of Police  
Harur panchayat Union,  
Harur,  
Dharmapuri District.
2. The Superintendent of Police  
Dharmapuri District,  
Dharmapuri
3. The Inspector of Police  
Pappireddipatti Police Station,  
Pappireddipatti,  
Dharmapuri District.
4. The Public Prosecutor,  
High Court, Madras.
5. The Inspector of Police,  
Harur Town Police Station,  
Harur.

+1cc to Mr.S.Doraisamy, Advocate, S.R.No.7869

Cr1.O.P.No.2678 of 2022

SVI (CO)  
PM/02/03/2022