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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.3499 of 2022

Bhakiyamma,
W/o.Lakshmaiyya

... Petitioner

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Krishnagiri.

2. The Inspector of Police,
Sipcot Police Station,
Hosur Taluk,
Krishnagiri District.

3. Ramesh,
S/o.Chikka Appaiyya

4. Sowdappa,
S/o.Chikka Appaiyya

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the first and second respondents to provide police protection to the petitioner for surveying and measuring the property in S.No.406/1, as per Patta No.3060, New Survey No.406/1B to an extent of 0.14 cents situated at Begapalli Village, Hosur Taluk, Krishnagiri District by the revenue authorities as per the petitioner's complaint dated 27.01.2022.

For Petitioner : Mr.M.Mohamed Riyaz

For Respondents : Mr.A.Gokulakrishnan for R1 & R2
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed, to direct the first and second respondents to provide police protection to the petitioner for surveying and measuring the



property in S.No.406/1, as per Patta No.3060, New Survey No.406/1B to an extent of 0.14 cents situated at Begapalli Village, Hosur Taluk, Krishnagiri District by the revenue authorities as per the petitioner's complaint dated 27.01.2022.

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2. The case of the petitioner is that the petitioner and her sister Nagaveni are the absolute owners in possession of the land comprised in S.No.406/1, as per Patta No.3060 and in New Survey No.406/1B to an extent of 0.14 cents situated at Begapalli Village, Hosur Taluk, Krishnagiri District having purchased it from their father, mother and brothers by way of a Sale Deed dated 12.01.2018 registered as Doc.No.616 of 2018 in the Office of SRO Hosur, Krishnagiri District. The Patta No.3060 stands in the name of the petitioner's grand mother Deveeramma and the petitioner's mother Narayanamma is the second vendor of the Sale Deed.

3. The further case of the petitioner is that the petitioner in order to survey and measure the property, had approached the Office of Tahsildar, DTO-Krishnagiri and the petitioner had paid the necessary charges to the Revenue Departments so as to survey the petitioner's property. The petitioner has also remitted the charges to the Revenue Officials on 18.12.2021 for the payment of Rs.400/- and on 22.01.2022 for the payment of Rs.800/-. The third and fourth respondents who are in no way connected to the property are threatening and intimidating the petitioner, and thereby the revenue officials are unable to carry out the surveying of the petitioner's property, even though the required charges have been made. Since the respondents police have not provided adequate police protection, the petitioner is constrained to approach this Court.

4. Mr.A.Gokulakrishnan, learned Additional Public Prosecutor appearing for the first and second respondents would submit that if the petitioner approaches with the request of the revenue officials by fixing the date for surveying the property, appropriate police protection will be provided to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case and the submission made by the learned Additional Public Prosecutor, this Court directs the petitioner to approach the Revenue Authorities and fix the date for surveying the property. The same shall be intimated to the respondents police and thereafter, the respondents police shall provide adequate police protection to the Revenue Authorities to conduct survey. It is



made clear that, in case, the third and fourth respondents are interfere at the time of surveying the property or cause obstruction by any other person, appropriate action shall be taken by the respondents police.

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7. With the above direction and observation, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

arb/shk

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Krishnagiri.
2. The Inspector of Police,
Sipcot Police Station,
Hosur Taluk,
Krishnagiri District.
3. The Public Prosecutor,
Madras High Court.

+1cc to Mr.M.Mohamed Riyaz, Advocate, S.R.No.10343

Cr1.O.P.No.3499 of 2022

GPL(CO)
SU(14/03/2022)