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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.3555 OF 2022

Babu

... Petitioner

.Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Krishnagiri.
2. The Inspector of Police,
Hudco Police Station, Pathalapalli,
Hosur Taluk, Kirhsnagiri District.
3. Krishnappa
4. Chandhrappa

... Respondents

PRAYER:-

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 1st and 2nd Respondents to provide police protection to the Petitioner for surveying and measuring his land comprised in S.No.797/10, situated at Nallur Village, Hosur Taluk, Krishnagiri District by the revenue authorities as per the Petitioner's complaint dated 05.02.2022.

For Petitioner : Mr.M.Mohammed Riyaz

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct 1st and 2nd Respondents to provide police protection to the Petitioner for surveying and measuring his land comprised in S.No.797/10, situated at Nallur Village, Hosur Taluk, Krishnagiri District by the revenue authorities as per the Petitioner's complaint dated 05.02.2022.



2. The case of the petitioner is that he is the absolute owner of the property comprised in S.No.797/10, situated at Nallur Village, Hosur Taluk, Krishnagiri District, by way of partition deed dated 11.01.2021 registered in Doc.No.542/2021. Patta No.6140 was also issued to the Petitioner for survey No.797/10. The Petitioner has approached the office of Tahsildhar, Hosur for measuring and surveying the property and has paid the necessary charges to the revenue authorities on 28.12.2021, for measuring S.No.797/10 and 799/3A2. Since there was a threat by 3rd and 4th Respondents, the revenue officials were unable to survey the property and therefore, the Petitioner approached 1st and 2nd Respondents by way of complaint dated 05.02.2022 for providing police protection. Since police protection has not been provided, this Petition has been filed.

3. Heard the parties and perused the materials available on record.

4. Learned Additional Public Prosecutor would submit that if the date of survey is fixed and the same is intimated to the 2nd Respondent, the 2nd Respondent is prepared to provide necessary police protection to the authorities and the Petitioner.

5. Considering the facts and circumstances of the case, this Court directs the revenue authorities to fix a date for measuring and surveying the property with police protection, the same shall be intimated to the Respondent Police in advance and the Respondent police shall give necessary police protection to the revenue authorities to conduct the survey. If any obstructions raised to do the aforesaid survey, appropriate action shall be taken by the Respondent police.

6. With the above observation and direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

shk/sai

To

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



2. The Inspector of Police,
Hudco Police Station,
Pathalapalli, Hosur Taluk,
Kirhsnagiri District.

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3. The Public Prosecutor,
Madras High Court,
Madras.

+1cc to Mr.M.Mohammed Riyaz, Advocate, S.R.No.10930

CRL.O.P.NO.3555 OF 2022

MT (CO)
PBS/17/03/2022