



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.04.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.8910 of 2022

G.Vezhavendan

... Petitioner

Vs.

1.The Commissioner of Police,
The Commissioner Office,
Tambaram Metropolitan City Police.

2.The Assistant Commissioner of Police,
The Assistant Commissioner Office,
Tambaram Taluk, Selaiyur,
Chennai 600 073.

3.The Inspector of Police,
Selaiyur Police Station,
Tambaram Taluk, Selaiyur,
Chennai 600 073.

4.V.Gandhi

...Respondents

PRAYER: The Criminal Original Petition is filed under Section 482 of Code of Criminal Procedure, to direct the third respondent police to give adequate police protection to the petitioner while the surveyor inspected the petitioner property to measure the property and fixing fence barbed wire of the petitioner land in Survey No.271/1 and 273 Plot No.7, to an extent of 2063 sq. ft. situated at 176, Vengai Vasal Village, Tambaram Firka and Taluk, Kanchipuram District.

For Petitioner : Mr.S.Vinoth Kumar

For Respondents : Mr.V.Meganathan for R1 to R3,
Government Advocate (crl. side)



O R D E R

The Criminal Original Petition has been filed seeking for a direction to the third respondent police to give adequate police protection to the petitioner while the surveyor inspected the petitioner's property to measure the property and fixing fence barbed wire of the petitioner land in Survey No.271/1 and 273 Plot No.7, to an extent of 2063 sq.ft situated at 176, Vengai vasal Village, Tambaram Firka and Taluk, Kanchipuram District.

2. Learned counsel for the petitioner would submit that the petitioner is the absolute owner of the land in Survey No.271/1 and 273 Plot No.7, to an extent of 2063 sq. ft. situated at 176, Vengai Vasal Village, Tambaram Firka and Taluk, Kanchipuram District. The said property was developed and sold as house site by one G.J.Pedrick @ John Pedrick. He had sold the plot no.7 to an extent of 2063 sq.ft to one M.M.Nayagam by way of registered sale deed dated 12.03.1987 as Document No.1101/1987. Thereafter, the said M.M.Nayagam had executed a registered General Power of Attorney deed to the petitioner vide Document No.2392 of 2006 on 29.06.2006. While so, one G.Venkatraman and his son V.Gandhi/4th respondent have disturbed the possession of the petitioner and attempted to trespass into the petitioner's property by damaging the fence on 07.02.2008, but the illegal attempt was prevented by the petitioner with the help of local people. Thereafter, the petitioner had filed suit in O.S.No.54 of 2003 before the District Munsif Court, Tambaram against the said G.Venkatraman and his son V.Gandhi/4th respondent for permanent injunction. The learned District Munsif had granted permanent injunction in favour of the petitioner. Thereafter, he had no disturbance from the opposite side. Later, the petitioner had sold the property to his brother one Kathiravan on 26.07.2011.

3. Learned counsel would further submit that the said G.Venkatraman had died and his son/fourth respondent herein, who is the adjacent land owner has attempted to interfere with the possession of the petitioner by disobeying the judgment in favour of the petitioner. The petitioner had lodged a complaint to the third respondent against the fourth respondent, whereas the third respondent had directed the petitioner to approach the Court to get necessary orders to measure the property. Thereafter, the petitioner had approached the Thasildar, Taluk Office Tambaram to survey the property, for which, the petitioner had paid necessary fee on 11.03.2022. When the revenue officials had attempted to survey the property, the



fourth respondent had created problem with them. Thereby, the present petition has been filed seeking for a police protection.

4. Mr.V.Meganathan, learned Government Advocate (crl.side) would submit that the petitioner has not approached the respondents police. However, in the event of date fixed by the Taluk surveyor to survey the land, after giving notice to the adjacent land owners, the respondents police will provide adequate police protection to the petitioner for putting up the fence after surveying.

5. Recording the submission made by the learned Government Advocate (crl.side), direction is issued to the third respondent to provide adequate police protection to the petitioner whenever the date fixed by the Taluk Surveyor to survey the property.

6. With the above direction, this Criminal Original Petitions stands disposed of.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

shk/sai
To

- 1.The Commissioner of Police,
The Commissioner Office,
Tambaram Metropolitan City Police.
- 2.The Assistant Commissioner of Police,
The Assistant Commissioner Office,
Tambaram Taluk, Selaiyur,
Chennai 600 073.
- 3.The Inspector of Police,
Selaiyur Police Station,
Tambaram Taluk, Selaiyur,
Chennai 600 073.
- 4.The Public Prosecutor,
High Court of Madras.

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srg 10/05/2022