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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.10454 OF 2022

M.Madhavan

... Petitioner

.Vs.

The State by

1. The Superintendent of Police,
Chengalpattu District,
Chengalpattu.

2. The Inspector of Police,
Sunambedu Police Station,
Sunambedu, Cheyyur Taluk,
Chengalpattu District.

3. Prasanth

... Respondents

PRAYER:-

This Criminal Original Petition filed under Section 482 Cr.P.C. To issue directions, directing the respondents police to give adequate police protection to the revenue officials to measure the petitioner's land situated in S.Nos.7/2, 8/6, 97/2, 97/6 and 97/4, Andarkuppam Village, Cheyyur Taluk, Chengalpattu District.

For Petitioner : No Appearance

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

ORDER

This Criminal Original Petition has been filed to direct the respondents police to give adequate police protection to the revenue officials to measure the petitioner's land situated in S.Nos.7/2, 8/6, 97/2, 97/6 and 97/4, Andarkuppam Village, Cheyyur Taluk, Chengalpattu District.



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2. There is no representation on behalf of the petitioner.

3. Heard the learned Additional Public Prosecutor appearing for the respondent police and perused the materials available on record.

4. At the outset, this Court is of the view, such a protection cannot be granted particularly, when there is rivalry claim by the other side. The practice of granting the blanket police protection leads to serious consequences. In this aspect, the Hon'ble Apex Court in the case of ''PR.Muralidharan and others Vs. Swami Dharmananda Theertha Padar'' reported in 2006 4 SCC as held as follows:

''...19.A Writ for ''Police Protection'' so-called, has only a limited scope, as when the Court is approached for protection of rights declared by a decree or by an order passed by a civil Court. It cannot be extended to cases where rights have not been determined either finally by the civil Court or, at least at an interlocutory stage in an unambiguous manner, and then too in furtherance of the decree or order.''

5. Accordingly, this Criminal Original Petition is dismissed and if so advised, the petitioner is at liberty to approach the Civil Court and survey the subject land as per Survey and Boundaries Act.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

rgi/shk

To

1. The Superintendent of Police,
Chengalpattu District,
Chengalpattu.
2. The Inspector of Police,
Sunambedu Police Station,
Sunambedu, Cheyyur Taluk,
Chengalpattu District.



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

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PMK (CO)
PBS/15/06/2022