

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2022

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Cr1.O.P.No.13651 of 2021

Madhaiyan

...Petitioner

Vs.

1. The State Rep. By
The District Superintendent of Police,
Uthangarai.
2. The State Rep. By
Inspector of Police,
Singarapettai Police Station,
Krishnagiri District.
3. Raja
4. Gnanavel
5. Suresh
6. Ajith
7. Settu

...Respondents

PRAYER: Criminal Original Petition has been filed under Section 482 of Cr.P.C, praying to direct the second Respondent Police to provide necessary Police Protection to the life and property of the Petitioner and to survey his land comprised in Survey No.65/1 to an extent of 0.96 acres and an extent of 1.04 acres in Survey No.64/4E totally to an extent of 2 acres situated at Eggoor Village, Uthakarai Taluk, Krishnagiri District with the help of Taluk Surveyor.

For Petitioner : Mr.S.Sathish Rajan

For Respondents 1 & 2 : Mr.L.Baskaran
Government Advocate (Cr1. Side)

ORDER

This Petition had been filed to direct the second Respondent Police to provide Police Protection to the life and property of the Petitioner and to survey his land comprised in Survey No.65/1 to an extent of 0.96 acres and an extent of 1.04 acres in Survey No.64/4E totally to an extent of 2 acres situated at Eggoor Village, Uthakarai Taluk, Krishnagiri District with the help of Taluk Surveyor.

2. The Petitioner claims that he had purchased a property through the registered sale deed. After purchasing the land, he had filed a Petition with the Revenue Authorities for effecting transfer of Patta and also to measure the land with the help of the Revenue Firka Surveyor. When the Petition is pending, the Respondents 3 to 7, who are alleged to be the neighbouring land owner, had been protesting against the lawful duty done by the Revenue Officials in effecting the Patta transfer. After measuring the property, based on the sale deed, the lawful action of the Revenue Authorities and the Surveyor cannot be objected by the Respondents 3 to 7. Therefore, the claim of the Petitioner is found reasonable.

3. The learned Government Advocate (Crl. Side) submits that the first Respondent had registered CSR and after enquiry, the CSR was closed.

4. The response of the learned Government Advocate (Crl. Side) is not appreciable. When there is objection by the neighbouring land owners regarding the lawful act done by the Revenue Officials, the Police is duty bound to protect the Revenue Officials for effecting the Survey and carrying out the name transfer in the Patta. They cannot object a person who had purchased a land through the registered sale deed and also seeking the help of Revenue Officials for effecting name transfer in the Patta. Therefore, the Respondents 1 and 2 are directed to take effective steps to protect the Revenue Authorities and the Surveyor in their lawful act of measuring the lands and effecting the name transfer in the Patta. The objection and the explanation offered by the learned Government Advocate (Crl. Side) is rejected considering the nature of threat alleged to have been held out to the Petitioner by the Respondents 3 to 7.

In the result, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1. The District Superintendent of Police,
Uthangarai.
2. The Inspector of Police,
Singarapettai Police Station,
Krishnagiri District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Sathish Rajan, Advocate SR. No. 34337

Crl.O.P.No.13651 of 2021

SSD (CO)
PR (13/07/2022)