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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.17684 of 2021

Raasathi

...Petitioner

Vs.

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

2. The Inspector of Police,
Tittakudi Police Station,
Cuddalore District.

3. Mehta

...Respondents

PRAYER : Criminal Original Petition is filed under Section 407 of Criminal Procedure Code, pleaded to directing the 1st and 2nd respondents to provide adequate police protection to the petitioner life and her property bearing Natham Survey No: 259/12 measuring about 3 Cents situated at Door No:3, North Street, Vathistapuram Village, Thittakudi Taluk, Cuddalore District.

For Petitioner : Mr.M.Velmurugan

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

O R D E R

This Criminal Original Petition has been filed seeking to direct the 1st and 2nd respondents to provide adequate police protection to the petitioner life and her property bearing Natham Survey No: 259/12 measuring about 3 Cents situated at Door No:3, North Street, Vathistapuram Village, Thittakudi Taluk, Cuddalore District.



2. Learned counsel for the petitioner would submit that the petitioner is a senior citizen aged about 65 years and she is an absolute owner of the house in Natham Survey No: 259/12 measuring about 3 Cents situated at Door No:3, North Street, Vathistapuram Village, Thittakudi Taluk, Cuddalore District. The petitioner had filed a suit in O.S.No.1032 of 1989 before the District Munsif Court, Virudhachalam, seeking for declaration and injunction and the same was decreed in favour of the petitioner on 18.11.1989 and thereafter, the petitioner had been in continuous possession after constructing a concrete house allotted by the Government. The possession of the petitioner has been entered in the Village and Taluk Natham Register and she has also been paying house tax to the Thittakudi Town Panchayat.

3. He would further submit that while so, the third respondent, who is the relative of the petitioner, along with her husband Sakthivel evicted the petitioner and grabbed her house using their muscle power and as of now, the petitioner is living outside the house. The petitioner had given the complaint to the second respondent on 13.08.2019 and the second respondent, after assigning CSR, has not take any further action and therefore, the petitioner made a representation to the Revenue Divisional Officer, Virudhachalam on 28.06.2021 under the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Act. He would also submit that the Revenue Divisional Officer, Virudhachalam by his proceedings in ஓ.பி(அ)4)1611/2021 dated 24.08.2021, had forwarded the petition with a direction to the second respondent to conduct enquiry and take proper steps to secure the possession of the petitioner. However, since no action has been taken by the second respondent so far and protection is not given to the petitioner, the present petition has been filed seeking to give police protection.

4. Learned Additional Public Prosecutor would submit that the petitioner and the third respondent are relatives. He would also submit that no action has taken pursuant to the directions of the Revenue Divisional Officer, Virudhachalam in X/K(m4)1611/2021 dated 24.08.2021 so far. He would further submit that the second respondent will conduct due enquiry and comply with the order of the RDO.

5. Recording the submissions and the undertaking made by the learned Additional Public Prosecutor, the Criminal Original Petition stands disposed of, with the direction to the second



respondent to enquire the petitioner and the third respondent and to take suitable action in accordance with law and afford appropriate protection to the petitioner, if necessary.

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s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Superintendent of Police,
Cuddalore District.
Cuddalore.
2. The Inspector of Police,
Tittakudi Police Station,
Cuddalore District.
3. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.17684 of 2021

VBM(CO)
SP(11/05/2022)