



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 19.05.2022

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P. (MD)No.9511 of 2022

Muruganandham

... Petitioner

Vs

1.State represented by
The Sub Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

2.Ramaiah

3.Selvakannu

4.Subramanian

... Respondents

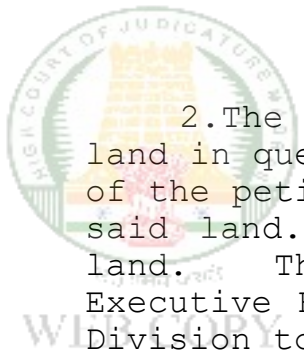
PRAYER : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the 1st respondent to provide police protection to the petitioner and his family members life and liberty and to construct a culvert on a channel to connect the agricultural lands in Survey No.74, Patta No.483 at Melappasalai Village, Manamadurai Taluk, Sivagangai District with road.

For Petitioner : Mr.D.Venkatachalam

For Respondents : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side) for R1

O R D E R

This Criminal Original Petition has been filed to direct the 1st respondent to provide police protection to the petitioner and his family members life and liberty and to construct a culvert on a channel to connect the agricultural lands in Survey No.74, Patta No.483 at Melappasalai Village, Manamadurai Taluk, Sivagangai District with road.



2.The learned counsel for the petitioner submitted that the land in question is owned by one Susmitha Priya, who is the relative of the petitioner. The petitioner is doing agricultural work in the said land. A channel is streaming in front of the agricultural land. The said Susmitha Priya obtained permission from the Executive Engineer, Public Works Department, Saruganiyar Irrigation Division to construct a culvert on the channel. When the petitioner started construction work, the respondents 2 to 4 obstructed the work. Hence, the petitioner lodged a complaint to the first respondent on 10.05.2022. Since no action was taken on the said complaint, the petitioner has filed this Criminal Original Petition.

3.The learned Government Advocate (Crl. Side) for the first respondents submitted that when the petitioner attempted to construct a culvert on the channel, which was objected by the general public. But the learned counsel for the petitioner submitted that the petitioner's owner obtained permission to construct a culvert on the channel. However, this is a clear civil dispute. Therefore, the petitioner has to necessarily avail his remedy only before the jurisdictional civil court for the said purpose.

4.However, the learned counsel for the petitioner submitted that the respondents 2 to 4 are demanding money and threatening the petitioner to construct a culvert on the channel. Therefore, the first respondent is directed to consider the petitioner's complaint dated 10.05.2022 and pass appropriate orders on its own merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order to that extent alone. It is made clear that no favourable direction is given in favour of the petitioner.

5.With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ias

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

<https://hcservices.ecourts.gov.in/hcservices/>



To:-

1.The Sub Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.D.VENKATACHALAM, Advocate (SR-23898[F] dated
20/05/2022)

Crl.O.P. (MD)No.9511 of 2022
19.05.2022

SS/26.05.2022 : 3P/4C