



Crl.O.P.(MD) No.11545 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 29.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.11545 of 2022

Bhagath Singh Mohammed

... Petitioner

Vs

1.The Superintendent of Police,
The State of Tamil Nadu,
Tirunelveli District.

2.The Deputy Superintendent of Police,
Nanguneri Division,
Tirunelveli District.

3.The Inspector of Police,
Kalakkad Police Station,
Tirunelveli District.

4.Thiruvadudurai Athinam

5.Sounthirapandiyan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the respondents 1 and 3 to give adequate police protection to life and limb of the petitioner to cultivate the agriculture crops in the Survey No.1052/1A, 1052/2 and 1075/1 to the extent respectively 30.15.0 hectare, 20.10.0 hectare, 93.50 acre of Punja land situated at Pathai No.II Village, Nanguneri Taluk, Tirunelveli District based on the complaint dated 07.06.2022.



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For Petitioner : Mr.C.K.M.Appaji

For Respondents : Mr.R.Suresh Kumar

1 to 3

Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to direct the respondents 1 and 3 to give adequate police protection to life and limb of the petitioner to cultivate the agriculture crops in the Survey No.1052/1A, 1052/2 and 1075/1 to the extent respectively 30.15.0 hectare, 20.10.0 hectare, 93.50 acre of Punja land situated at Pathai No.II Village, Nanguneri Taluk, Tirunelveli District based on the complaint dated 07.06.2022.

2.The learned counsel appearing for the petitioner submitted that the fifth respondent and another have given trouble and tried to take possession of their land. Therefore, the petitioner gave a complaint before the third respondent and the third respondent Police has registered a case in Crime No.131 of 2022 for the offence under Sections 147, 148, 294(b), 447 and 506(ii) of IPC as against the fifth respondent and another. Since no action has been taken, the present Writ Petition has been filed.



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3.The learned Government Advocate (Crl. Side) appearing for the respondents Police 1 to 3 submitted that based on the complaint given by the petitioner, a case in Crime No.131 of 2022 has been registered for the offence under Sections 147, 148, 294(b), 447 and 506(ii) of IPC. Again with the same allegations, the petitioner filed this petition.

4.On perusal of the materials available on records, it is seen that the petitioner is working as a Doctor and the petitioner's father is the lease holder of the property in Survey No.1052/1A, 1052/2 and 1075/1 to the extent of 30.15.0 hectare, 20.10.0 hectare, 93.50 acre of Punja land situated at Pathai No.II Village, Nanguneri Taluk, Tirunelveli District. After the demise of the petitioner's father, the petitioner has cultivated the said land as tenant under the fourth respondent herein. Since the fifth respondent continuously interfered the peaceful possession of the petitioner, the petitioner filed a civil suit in O.S.No.36 of 2022 before the District Munsif, Nanguneri for the relief of declaration of permanent injunction and the same was order by the Court below. During pendency of the suit, the petitioner filed I.A.No.5 of 2022 for not to transfer the lease to any one and also filed a writ petition before this Court in W.P.(MD).Nos.3203, 3200 and 3340 of



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2009 and this Court set aside the cancellation of lease granted in favour of the petitioners.

5.In view of the above, this petition seeking for police protection is unsustainable. Hence, this Criminal Original Petition is dismissed.

29.06.2022

Internet: Yes./No
Index: Yes/no
vsg



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- 2.The Deputy Superintendent of Police,
Nanguneri Division,
Tirunelveli District.
- 3.The Inspector of Police,
Kalakkad Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

vsg

ORDER IN
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