



CRL.O.P (MD) No.12023 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.12023 of 2022

Manohari

...Petitioner

Vs.

1.The Superintendent of Police,
Thanjavur District.

2.The Inspector of Police,
Thirukattupalli Police Station,
Thanjavur District.

3.Muniyaraj

4.Staline

...Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., praying to direct the first and second respondents to give necessary police protection to the petitioner while fencing her land in Survey No.192/3A situated at Varagoore Village, Thiruvaiyaru Taluk, Thanjavur District on the basis of his complaint dated 28.05.2022.

For Petitioner : M/s.V.Vilma Remy

For R1 – R2 : Mr.R.Sureshkumar
Government Advocate (Crl.side)

ORDER

This petition has been filed seeking a direction to direct the first and second respondents to give necessary police protection to the petitioner while



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fencing her land in Survey No.192/3A, situated at Varagoore Village, Thiruvaiyaru Taluk, Thanjavur District, based on his complaint, dated 28.05.2022.

2.The learned counsel appearing for the petitioner submitted that the petitioner and her two sister having agricultural land, situated in Survey No. 192/3A to an extent of 34.58 cents, situated at Varagoore Village, Thiruvaiyaru Taluk, Thanjavur District. Originally the land belongs to petitioner's father. Vide registered settlement deed No.1122/2009, the land was given to the third respondent only for cultivation for the period of three years. But by taking advantage over the property, he filed a suit in O.S.No.79 of 2020, which is pending before the District Munsif Court, Thiruvaiyaru, Thanjavur District. Now the petitioner wants to fence the land and hence, she filed a petition for seeking police protection.

3.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that a complaint received from the petitioner on 28.05.2022. On enquiry, it was found that, the dispute is civil in nature and relegate the both the parties to get the relief in civil Court and closed the said complaint.



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4. I have considered the submission of the learned counsel appearing for the petitioner and the learned Government Advocate (criminal side) appearing for the respondent police.

5. The learned counsel appearing for the petitioner submitted that without any objection to the subject to the result of the suit in O.S.No.79/2020 pending before the District Munsif Court, Thiruvaiyaru, the petitioner is not trying to vacate the respondents 3 and 4. The police may provide protection to fence the land in S.No.192/3A without vacating the respondents 3 and 4.

6. Recording the same, the petitioner is directed to approach the respondent police and give representation only for providing protection for fencing the land in S.No.192/3A subject to the result of the suit. The respondent police may consider the petitioner's representation and to provide protection to the petitioner for fencing the land in S.No.192/3A.

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

05.07.2022

Index : Yes / No
Internet : Yes/ No
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V.SIVAGNANAM, J.

vsd

To

- 1.The Superintendent of Police,
Thanjavur District.
- 2.The Inspector of Police,
Thirukattupalli Police Station,
Thanjavur District.
- 3.Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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