



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.12741 of 2021

T.S.Giridharlal

... Petitioner

Vs.

1. The Superintendent of Police,
Surveyor Colony,
Alagar Kovil Road,
Madurai.

2. The Inspector of Police,
Silaiman police station,
Madurai.

3. Sundari

4. K.Shanmuga Rajan

5. K.Ragu Raman

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to direct the first respondent to instruct the second respondent to take necessary steps and provide adequate police protection to survey, measure and subdivide the petitioner's land on the basis of the petitioner's complaint dated 21.04.2021.

For Petitioner	: Mr.T.R.Subramanian
For R-1 & R-2	: Mr.B.Thanga Aravindh, Government Advocate.
For R-3 to R-5	: Mr.K.R.Manimaran

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for respondents 1 and 2 and the learned counsel appearing for respondents 3 to 5.

2. The petitioner wants this Court to direct the second respondent to grant police protection for carrying out the petition mentioned exercise of survey, measurement and sub-division of the petitioner's land. The petitioner is very much having a decree from the jurisdictional civil Court. Copies of the same have been enclosed in the typed set of papers.

3. The learned counsel appearing for the private respondents states that they are taking steps to file second appeal challenging the judgment and decree dated 16.09.2019 made in A.S.No.12 of 2018 of the file of the II Additional Sub Court, Madurai.



4. Though the right of the private respondents to file second appeal cannot be disputed or foreclosed, the fact remains that more than two years and three months have elapsed. Therefore, I direct the second respondent to give police protection to the revenue authorities to carry out the exercise of survey, measurement and sub-division. I make it clear that the aforesaid survey exercise will be subject to the outcome of the second appeal that may be filed by the private respondents herein.

5. This criminal original petition is allowed on these terms.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PMU

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.

To:

1. The Superintendent of Police,
Surveyor Colony,
Alagar Kovil Road,
Madurai.
2. The Inspector of Police,
Silaiman police station,
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.R.MANIMARAN, Advocate (SR-552[F] dated 06/01/2022)

+2 CC to M/s.T.R.SUBRAMANIAN, Advocate (SR-538[F] dated 06/01/2022)

Cr1.O.P. (MD) No.12741 of 2021
05.01.2022