



CrI.O.P.(MD) No.15890 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.ILANGO VAN**

CrI.O.P.(MD) No.15890 of 2022

S.Arockiyasamy

... Petitioner

Vs

1.The Commissioner of Police,
Trichy City,
Trichy.

2.The Inspector of Police,
Ariport Police Station,
Trichy.

3.Jeyalakshmi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to direct the 2nd respondents to give adequate police protection for the petitioner's life and limb and also for his property at Survey No.140/1 at Kottapattu Village at Trichy District to an extent of 19 cents and also to take action as against the 3rd respondents and her henchmen for the illegal activities based on the petitioner's representation dated 16.08.2022.

For Petitioner : Mr.C.Vakeeswaran
For R1 & R2 : Mr.R.Sivakumar
Government Advocate (CrI.side)



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ORDER

This petition is filed seeking direction to the 2nd respondent herein to give police protection on the basis of the representation dated 16.08.2022.

2.The case of the petitioner in brief is as follows:-

3.The petitioner has purchased the property in S.No.140/1 in Ward AV Block-2, TS.No.16/1 at Kottapattu Village, Trichy District, measuring an extent of 11 cents from one Santhanam, S/o.Perumal in Doc.No.4897 of 2013 dated 28.11.2013. Later, he purchased 8 cents in the very same survey number from the aforesaid Santhanam on 26.05.2022 and at that time, the 3rd respondent made objections with regard to the registration of the aforesaid sale deeds. Enquiry was undertaken by the Sub-Registrar, K.Sathanoor and later, the aforesaid documents were released. It appears that the 3rd respondent claims rival right over the aforesaid property.

4.The learned counsel for the petitioner would submit that originally S.No.140/1 is having 4 acres and 56 cents, which belongs to one Thirupathy and his brother, namely Venkatachalam. The said Thirupathy had two sons, by



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name, Perumal and Krishnan as well as Venkatachalam had one son, by name Rengaraj, who is the father of the 3rd respondent herein. There was oral partition between the legal heirs of Perumal and Krishnan. Subsequent to that, there was also another partition between the said Perumal and Krishnan in respect of the aforesaid 2.28 acres. In the aforesaid oral partition, 1.92 acres were allotted to Perumal and 36 cents were allotted to Krishnan.

5.After the death of the aforesaid Perumal in 1996, the aforesaid Santhanam, Sundaravel and Balu became his legal heirs. The said Sundaravel and Balu executed release deed in favour of Santhanam in respect of 38 cents. In pursuance of the aforesaid documents, the petitioner purchased the property as noted above. In the meantime, the 3rd respondent, who is the legal heir of Rengaraj, was having 2.28 acres. After the death of the said Rengaraj, the legal heirs had sold the aforesaid properties. Only on the basis of the aforesaid factual issue, the objection that was made by the 3rd respondent was rejected by the Sub Registrar, K.Sathanoor by the order dated 19.07.2022 as noted above. When the petitioner was taking steps to measure the property, again the 3rd respondent made objection, over which the representation has been sent.



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6.The learned Government Advocate (Crl.side) for the respondents 1 and 2 would submit that on the basis of the representation made by the petitioner, enquiry was undertaken in CSR.No.47 of 2022 and summon has been issued to the respective parties. Since the petitioner is working in Bangalore, he promised to appear before the respondent police on 15.09.2022.

7.Since the representation has been considered and enquiry has been made, let the aforesaid representation be disposed of within a period of 2 months from the date of receipt of a copy of this order. Depending upon the outcome of the representation's enquiry, the petitioner can take further steps, if so required.

8.With the aforesaid liberty, this Criminal Original Petition is disposed of.

Internet: Yes
Index: Yes/No
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09.09.2022



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To

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- 1.The Commissioner of Police,
Trichy City,
Trichy.
- 2.The Inspector of Police,
Ariport Police Station,
Trichy.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA, J.

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