



Crl.O.P.(MD) No.21193 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P (MD) No.21193 of 2022

Senthilkumar

...Petitioner

VS

**1.The Superintendent of Police,
Trichy District,
Trichy.**

**2.The Inspector of Police,
Puthanatham Police Station,
Puthanatham,
Trichy District.**

3.Saravanan

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the 2nd Respondent to give adequate police protection for the life and limb of the Petitioner and his family members on the basis of the Petitioner's representation dated 21.11.2022.

For Petitioner : Mr.T.Vadivelan

**For R1 & R2 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor**



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ORDER

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This Criminal Original Petition had been filed to direct the Respondents 1 and 2 to give police protection to the Petitioners' life and limb, on the basis of the Petitioner's representation dated 21.11.2022.

2.It is the submission of the learned Counsel for the Petitioner that the Petitioner had obtained electric service connection for his residence in patta No.412. The service connection was given to him over the land in patta No. 487 belonging to Sri Boodigirinatha Swamy temple. While so, the third Respondent, who has no right or claim over the said temple, had been objecting to the same and creating problems. Therefore, the Petitioner had approached the Respondents 1 and 2 for police protection.

3.Also, the third Respondent along with his relatives had been using abusive words and using the caste name against the Petitioner. The third Respondent had threatened the Petitioner to shift the electric line to the other electric pole. The Petitioner had approached the TANGEDCO to shift the electric pole, which was refused by the TANGEDCO's Officials. After



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hearing the reply of the TANGEDCO's Officials also, the third Respondent is threatening the Petitioner along with his relatives. The complaint given by the Petitioner to the Respondents 1 to 2 has not been considered properly. Therefore, the Petitioner had approached this Court under Section 482 Cr.P.C seeking direction against the second Respondent to provide police protection to the Petitioner's life and limb.

4.The learned Additional Public Prosecutor for the Respondents 1 and 2 would submit that earlier the third Respondent had given a complaint against the Petitioner, which was registered as C.S.R.No.778 of 2022, in which the Petitioner and the third Respondent had appeared for enquiry. In the enquiry, the Petitioner is said to have given a written undertaking that he will seek the service connection through an alternate route. With that, the enquiry was closed. Subsequently, the Petitioner had preferred the complaint, based on which the third Respondent was summoned by the second Respondent and it is pending enquiry.

5.Considering the same, it is found that it is for the TANGEDCO Officials to decide as to over which land the service connection is to be



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taken to the residence of the Petitioner herein. The third Respondent, who does not have any right over Sri Boodigirinatha Swamy temple lands cannot object to the same. The action of the second Respondent in getting an undertaking itself is found against the TANGEDCO's Rules.

6.The Petitioner is directed to obtain appropriate orders from the Civil Court regarding the conduct of the third Respondent as well as against the TANGEDCO regarding the same. As far as the objection of the third Respondent is concerned, the Respondents 1 and 2 shall give protection from the unnecessary interference and threat to the life and limb of the Petitioner.

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

Internet:Yes/No
Index:Yes/No
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To

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



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SATHI KUMAR SUKUMARA KURUP, J.

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