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Crl.OP.No.685 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.685 of 2023

R.Seenivasan

... Petitioner

Vs.

1.The State rep by
The Superintendent of Police,
Cuddalore District, Cuddalore.

2.The Inspector of Police,
Chidambaram Taluk Police Station,
Cuddalore District.

3.Uthirapathi.

4.Valli

5.Chandramohan

... Respondents

PRAYER:

This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the second respondent police to give police protection to the petitioner from the threat of the respondents 3 to 5 and their henchmen and preventing them from not



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to interfere with the peaceful possession and enjoyment of the petitioner's landed property in Survey Nos.33/1, 33/2, 34/1, 24/1, 24/2 situated at K.Aatur Village, Chidambaram Taluk, Cuddalore District.

For Petitioner : Mr.E.Kannadasan

For Respondent : Mr.S.Santhosh for R1 & R2
Government Advocate(Crl.side)

ORDER

This Criminal Original Petition has been filed to direct the second respondent police to give police protection to the petitioner from the threat of the respondents 3 to 5 and their henchmen and preventing them from not to interfere with the peaceful possession and enjoyment of the petitioner's landed property in Survey Nos.33/1, 33/2, 34/1, 24/1, 24/2 situated at K.Aatur Village, Chidambaram Taluk, Cuddalore District.

2. The learned counsel for the petitioner submitted that the petitioner is the owner of the landed property in Survey No.33/1, 33/2, 34/1, 24/1, 24/2 situated at K.Aatur Village, Chidambaram Taluk, Cuddalore District, to an extent of three Acres and he cultivated paddy crops, which are ready for harvest. However, the



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respondents 3 to 5 are obstructing the petitioner from harvesting the paddy crops.

Hence he filed this petition seeking police protection.

3. The learned counsel for the petitioner further submitted that he filed a suit in O.S.No.60 of 2012 seeking relief of permanent injunction against the defendants therein, to not to restrain the petitioner's peaceful possession and enjoyment of these properties. The defendants therein, i.e., the respondents 3 to 5 herein filed a suit in O.S.No.30 of 2012 seeking for the relief of declaration of the sale deed, in favour of the petitioner, as null and void. Both the aforesaid suits were dismissed by the trial Court. Thereafter, the petitioner filed an appeal in A.S.No.54 of 2015 and the same was allowed, whereas the respondents 3 to 5 filed an appeal in A.S.No.7 of 2015 and the same was dismissed. Against the dismissal of the appeal, the respondents 3 to 5 filed a second appeal in S.A.No.560 of 2018 and the same is pending.

4. It is the further submission of the learned counsel for the petitioner that the petitioner's possession and enjoyment of the said property was confirmed by the first appellate Court. Thereafter, in 2019, when the respondents 3 to 5 tried to



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prevent the harvesting of crops, the petitioner gave a representation to the Tahsildar, Chidambaram. The Tahsildar, Chidambaram passed an order in Na.Ka.A8/90/2019 dated 30.04.2019, directing the Inspector of Police, Local Police Station, Chidambaram to provide necessary police protection to avoid the law and order problems, while the petitioner engaged in harvesting. The learned counsel for the petitioner also submitted that the petitioner had given representations on 21.02.2022 and again on 03.01.2023 seeking police protection against the respondents 3 to 5 restraining them from interfering with the harvesting activities.

5. The learned Government Advocate (Criminal side) submitted that on the basis of the petitioner's representation, the CSR enquiry is pending.

6. It is seen from the narration of the facts that the petitioner's possession and enjoyment of the aforesaid properties in aforesaid survey numbers was confirmed by the first appellate Court. The Tahsildar, Chidambaram had also directed the Inspector of Police, Local Police Station, Chidambaram, to give police protection to the petitioner while harvesting the crops.



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7. Considering the above facts, this Court directs the first respondent to consider the petitioner representation dated 03.01.2023 and pass appropriate orders including the request to provide police protection during the harvesting of crops to avoid law and order problem.

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

12.01.2023

Internet : Yes / No

Index : Yes / No

Speaking / Non Speaking order

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Note: Issue Order Copy today (12.01.2023)

To

1.The Superintendent of Police,
Cuddalore District, Cuddalore.

2.The Inspector of Police,
Chidambaram Taluk Police Station,
Cuddalore District.

3.The Public Prosecutor,
High Court of Madras.

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G.CHANDRASEKHARAN,J.

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