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Crl.O.P.No.21837 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2023

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THE HONOURABLE MR. JUSTICE V. SIVAGNANAM

Crl.O.P.No.21837 of 2018

M. Ramayee

... Petitioner

Vs

1. The Superintendent of Police,
Office of the Superintendent of Police,
Erode District.
2. State, represented by its
Inspector of Police,
Anthiyur Police Station,
Erode District.

... Respondents

Prayer: Criminal Original Petition filed under section 482 of Cr.P.C., to direct the 2nd respondent to give police protection to petitioner's life and property situated at Anthiyur Village.

For Petitioner : Mr. P.Saravanan

For Respondent : Mr.L. Baskaran
Govt. Advocate (crl.side)

ORDER



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This Criminal Original Petition is filed to direct the 2nd respondent to give police protection to petitioner's life and property situated at Anthiyur Village.

2. According to the petitioner, her father-in law was allotted an extent of 5.21 acres of land in R.S.No.1074/1, 1075, Anthiyur Village, Erode District, by proceedings of Joint Director of Cooperative Society dated 08.02.1966 and after his death, her husband was continuing to cultivate the said lands for livelihood. Whiles, one Palaniappan, Jambu @ Shanmugam and Thavasiappan @ Chinnu had been illegally occupying the said lands. The petitioner's husband preferred suit in S.No.117/2000-2001 to vacate the illegal occupants. Pursuant to which, this court, by order dated 19.12.2009 in WP.No.11740 of 2002 directed the Joint Director of Cooperative Society to pass appropriate orders in E.P.No.2 of 2002 in ARC.No.117 of 2000-2001 filed by the petitioner's husband to implement the order dated 02.05.2001 passed in suit ARC No.117/2000-2001 before the Joint Director of Cooperative Society on or before 19.12.2009. Based



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on the same, the Joint Secretary of Cooperative Society issued a letter dt.30.07.2018 in Na.Ka.No.6305 /2017/thavasa to the 2nd respondent police to give police protection while removing the encroachment in the lands belonging to petitioner's husband. Challenging the above proceedings, the said Jambu @ Shanmugam and others preferred a Writ Petition in W.P.No.23264 of 2018.

3. Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that during police enquiry, the parties to the dispute, have agreed not to interfere with the possession of each other till the disposal of the writ petition in W.P.No.23264 of 2018.

4. The learned Government Advocate (crl.side) submitted a report stating that both the petitioner and the said Jambu @ Shanmugam and others were enquired by the police, wherein, both the parties agreed not to interfere with the personal of each other and the abovesaid Jambu @ Shanmugam and others have also agreed not to put up further construction in the disputed property till the disposal of W.P.No.23264 of 2018 and the petitioner has also consented for the same, thus the respondent police



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closed the enquiry subject to the result of the writ petition pending before this Court .

5. Recording the submissions of the learned counsel for the petitioner and the learned Govt. Advocate (crl.side) , this criminal original petition is closed.

14.07.2023

msr

Index:yes/no

Internet:yes/no

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Erode District.
2. State, represented by its
Inspector of Police,
Anthiyur Police Station,
Erode District.

V. SIVAGNANAM, J.



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