



Crl.O.P.(MD) No.2316 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2023

CORAM:

THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD) No.2316 of 2023

V.Velladurai,

: Petitioner

Vs

The Inspector of Police,
Puliyamkudi Police Station,
Tenkasi District

: Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to direct the respondent to provide an adequate police protection to the petitioner life and limb at the time of fencing the lands in Survey No. 72/4 situated at Nelkattumseval village, Sivagiri Taluk, Tenkasi District which was measured and fixed with boundary stones as per the order in W.P(MD)No. 22613 of 2022, dated 27.09.2022 of this Court and by considering the petitioner's representation, dated 12.01.2023, in accordance with law within the time stipulated by this Court.



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For Petitioner : Mr.S.Meena
For Respondent : Mr.S.S.Madhavan
Government Advocate (Crl.Side)

ORDER

This criminal original petition has been filed seeking a direction to the respondent to provide an adequate police protection to the petitioner life and limb at the time of fencing the lands in Survey No. 72/4 situated at Nelkattumseval village, Sivagiri Taluk, Tenkasi District which was measured and fixed with boundary stones as per the order in W.P(MD)No.22613 of 2022, dated 27.09.2022 of this Court and by considering the petitioner's representation, dated 12.01.2023.

2. The learned Counsel appearing for the petitioner would submit that the petitioner has already filed a writ petition in W.P.(MD)No.22613 of 2022 and this Court, vide order, dated 27.09.2022, without going into the merits of the case, directed the respondents therein, to survey the land and fix the boundaries after providing opportunity to the parties concerned and the respondent police therein, was directed to provide police protection on the



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day, when the property is measured.

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3. The learned Government Advocate(Crl.Side) would submit that as per the directions of this Court, police protection was given when the property was measured. He would further submit that on the basis of the complaint given by the petitioner, enquiry was conducted and at the time of enquiry, the petitioner has given a statement that since the counter party has agreed not to remove the boundary stone, no further action is necessary and on that basis, the complaint was ordered to be closed.

4. It appears that there existed a property dispute between the petitioner and the adjoining owners. Moreover, there is no enforceable decree or order from the competent civil Court and as such, the granting of police protection does not arise at all. As of now, leaving open the petitioner's rights and remedies, this Criminal Original Petition is dismissed.

06.02.2023

NCC:Yes/No
Index:Yes/No
Internet:Yes/No
lr

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- 1.The Inspector of Police,
Puliyamkudi Police Station,
Tenkasi District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J.

lr

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