



Crl.O.P.(MD)No.5363 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **23.03.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.5363 of 2023

S.Shanmugeshwari

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar District.

2.The Inspector of Police,
Thalavaipuram Police Station,
Virudhunagar District.

3.A.Arumuga Nayinar

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the respondents 1 and 2 to provide adequate police protection to the life and limb of the petitioner by considering the proceedings issued by the Tahsildar in Na.Ka.No.A6/4556/2020, dated 25.01.2023 and by considering the representation of the petitioner dated 01.02.2023 within the time stipulated by this Court.



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For Petitioner : Mr.C.Gangai Amaran

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the respondents 1 and 2 to provide adequate police protection to the life and limb of the petitioner by considering the proceedings issued by the Tahsildar in Na.Ka.No.A6/4556/2020, dated 25.01.2023 and by considering the representation of the petitioner dated 01.02.2023 within the time stipulated by this Court.

2. Seeking Police Protection to expedite the order that was passed by the Division Bench of this Court, dated 19.04.2021 in W.P(MD) No. 6324 of 2021, a representation has been made by the petitioner to the Revenue Official.

3. As per the order of the Division Bench of this Court, enquiry was undertaken by the Competent Authority namely Tahsildar,



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Rajapalayam, by the order dated 25.01.2023, he is recording and finding that if any encroachment is made by anyone in Survey No.77/15F, criminal action can be initiated, that was addressed to Inspector of Police, Thalavaipuram Police Station.

4. The learned counsel for the petitioner would submit that still above said encroachment has not been removed by granting the Police protection. For the removal of encroachment only, he made the representation, that is kept pending.

5. For removal of encroachment, the revenue officials are the competent authority. The petitioner cannot remove encroachment. He has to approach the competent authority for the above said removal. Without getting order from the concerned authority, the petitioner is not the competent to maintain the representation for the Police protection. The petitioner is directed to approach the concerned authority.

6. With the above said direction, this Criminal Original Petition is



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disposed of.

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar District.
- 2.The Inspector of Police,
Thalavaipuram Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

G.ILANGO VAN,J.



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Order made in
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