



Crl.O.P.(MD) No.11386 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD) No.11386 of 2023
and
Crl.M.P.(MD) Nos.4872 and 9788 of 2023

Ramakrishnan

... Petitioner

Vs.

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Karur District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Kulithalai,
Karur District.
- 3.The Inspector of Police,
Thogamalai Police Station,
Karur District.
- 4.Pandian
- 5.Rasu



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WEB CRYM 6.Sankar

7.Kaliyappan

8.Manivel

9.Sadaiyappan

10.Annavi

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondent Nos.1 to 3 to provide adequate police protection for erecting the fencing in the petitioner's patta land situated in S.No.122/2A to an extent of 2.43.00 hectares (6 acres) situated at Velayudhapalayam, Vellakulam, Kadavur Taluk, Karur District based on the O.S.No.62/2015 and by considering the petitioner's representation dated 16.06.2023 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani
For R1 to R3 : Mr.SS.Madhavan
Government Advocate (Crl.side)

ORDER

This petition is filed seeking for a direction to provide police protection to the petitioner while fencing the petitioner's patta land in S.No.122/2A to an extent of 2.43.00 hectares (6 acres) at Velayudhapalayam, Vellakulam, Kadavur Taluk, Karur District.



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2.It is submitted by the learned counsel for the petitioner that there are disputes in respect of the land belonging to the petitioner with the unofficial respondent Nos.4 to 10 and that the petitioner has filed O.S.No.62 of 2015 on the file of the learned District Munsif, Kulithalai, seeking permanent injunction not to interfere with the petitioner's possession over the property and after full-fledged trial, the said suit came to be decreed on 09.08.2017. It is submitted that the unofficial respondent Nos.4 to 10 did not prefer any appeal against the decree, thereby the decree passed by the learned District Munsif, Kulithalai in O.S.No.62 of 2015 has become final. The petitioner submits that in spite of the injunction orders, the unofficial respondent Nos.4 to 10 are still trying to intervene and preventing the petitioner from fencing his properties, thereby the petitioner has moved an application before the police on 16.06.2023 for providing police protection and since the said representation has not been considered, the petitioner has approached this Court.

3.The learned Government Advocate (Crl.side) submits that the police have referred the matter to the Revenue Authorities.



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4.The petitioner is having a decree of permanent injunction in O.S.No.62 of 2015 against the unofficial respondent Nos.4 to 10 in respect of his properties, but the respondent Nos.1 to 3 police instead of providing police protection in order to protect the decreetal order passed by the learned District Munsif, Kulithalai, in O.S.No.62 of 2015 have referred the complaint to the Revenue Authorities, which is not at all required. The representation of the petitioner is not in respect of any revenue dispute for referring it to the Revenue Authorities.

5.Considering the same, the respondent police are directed to provide suitable protection to the petitioner in implementing the decree in O.S.No.62 of 2015.

6.With the above direction, this Petition is disposed of. Consequently, connected Miscellaneous Petitions are closed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

12.07.2023

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- 2.The Deputy Superintendent of Police,
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- 3.The Inspector of Police,
Thogamalai Police Station,
Karur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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