



CrI.O.P.(MD) No.12457 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2023

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

CrI.O.P.(MD) No.12457 of 2023

N.Chandrasekaran

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Ottanchathiram,
Dindigul District.

3.The Inspector of Police,
Reddiyarchathiram Police Station,
Reddiyarchathiram,
Dindigul District.

4.Balasubramanian

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondent Nos.1 to 3 to provide necessary police protection to the life and limb of the petitioner as well as his agricultural lands of an extent of 1 acre,



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40 cents comprised in Survey Numbers.493/2B, 493/2C and 493/1C situated at Kothapulli Village, Dindigul West Taluk, Dindigul District by considering the petitioner's representation dated 20.06.2023.

For Petitioner : Mr.J.Lawrance

For R1 to R3 : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)

For R4 : Mr.V.Karuna

ORDER

This petition is filed seeking for a direction to the respondent police to provide police protection to the petitioner in respect of the agricultural property to an extent of 1 acre and 40 cents in S.Nos.493/2B, 493/2C and 493/1C at Kothapulli Village, Dindigul West Taluk, Dindigul District.

2.It is submitted by the learned counsel for the petitioner that the father of the respondent No.4 has executed a registered sale deed dated 07.02.1986 in favour of the petitioner in respect of the lands in S.Nos.493/2B, 493/2C and 493/1C at Kothapulli Village, Dindigul West Taluk, Dindigul. Subsequently, the respondent No.4 has filed O.S.No.411 of 1999 on the file of Principal Sub Court, Dindigul seeking for partition of the said properties. After full-fledged trial, the



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said suit was dismissed confirming the sale transaction made by the father of the respondent No.4 in favour of the petitioner. The respondent No.4 stated to have filed an appeal aggrieved by the same, which is stated to have been still pending.

3.It is submitted that even after the suit filed by the respondent No.4 was dismissed on 23.11.2007, the respondent No.4 is trying to encroach the land belonging to the petitioner, on which the petitioner has filed a complaint before the police on 18.06.2023. However, the respondent police have not disposed of the same and has not given the police protection.

4.The learned Government Advocate (Crl.side) on the other hand submits that the police have issued notices to the petitioner number of times and also sent registered post on 03.07.2023 asking the petitioner to appear on 07.07.2023. However, in spite of receipt of the notice, the petitioner failed to attend.

5.The learned counsel for the respondent No.4 submits that an appeal has been preferred assailing the dismissal of O.S.No.411 of 1999 and it is pending for numbering, as there was delay in preferring the appeal.



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6. Accordingly, this Petition is disposed of with a direction to the petitioner to appear before the respondent police on 18.07.2023, on which the respondent police are directed to enquire in respect of the grievance of the petitioner and dispose of the petition, if necessary, by providing police protection.

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

11.07.2023

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To

1. The Superintendent of Police,
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Dindigul.
2. The Deputy Superintendent of Police,
Ottanchathiram,
Dindigul District.
3. The Inspector of Police,
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4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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