



Crl.O.P.(MD)No.15746 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **23.03.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD)No.15746 of 2022

T.Thenmozhi

... Petitioner

Vs.

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

2.The Inspector of Police,
Elumalai Police Station,
Madurai District.

3.P.Dharma

(R3 is impleaded as per the order of this Court dated 07.12.2022 in
Crl.M.P(MD).No.10930 of 2022 in Crl.O.P(MD).No.15746 of 2022)
... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents to provide adequate police protection to survey the petitioner's land in Survey No.283/11 and 284/1 of Uthapuram Village, Peraiyur Taluk, Madurai District and fix the boundaries based on the representation dated 20.08.2022 sent to the first respondent herein.



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For Petitioner : Mr.A.Karthik
For R1 & R2 : Mr.B.Nambiselvam
Government Advocate (Criminal Side)

ORDER

This petition has been filed seeking direction to the respondents to provide adequate police protection to survey the petitioner's land in Survey Nos.283/11 and 284/1 situated at Uthapuram Village, Peraiyur Taluk, Madurai District and fix the boundaries based on the representation dated 20.08.2022 sent to the first respondent herein.

2. The learned counsel for the petitioner submitted that the petitioner had purchased the land to an extent of 47 cents in the above said survey numbers through the registered document from the owner of the property. He further submitted that the above said lands were in joint patta in the name of Rasaiah, S/o.Karuppanna Moopar and Dharmar, S/o.Paramasiva Moopar. In order to demarcate the petitioner's share and to get separate patta, petitioner made an application to the concerned Tahsildar and survey department to survey the land and to fix the boundaries and the same is not considered so far.



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3. Since the patta stands in the name of the third respondent and the vendor of this petitioner, survey cannot be undertaken at the instance of the petitioner and police protection cannot be granted.

4. In view of the above, the petitioner is directed to approach the concerned Revenue Authorities or the Civil Court for partition of the property.

With the above directions, this Criminal Original Petition is dismissed.

23.03.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
TTA

To

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



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G.ILANGOVAN. J.

TTA

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