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Crl.O.P.(MD)No.17832 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.10.2023**

CORAM:

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

Crl.O.P.(MD)No.17832 of 2023

Arumugam

... 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.The Head Surveyor,
Kulithalai, Karur District.

5.Selvi

6.Vellimalai @ Vennimalai @ Vinoth

7.Vivek

8.Vimala

... Respondents/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 survey No.245/1B, to an extent of 15 cents situated at Vadacheri Village, Kulithalai Taluk, Karur District based on the O.S.No.63 of 2022 on the file of the District Munsif Court, Kulithalai, by considering the petitioner's representation dated 13.09.2023.

For Petitioner : Mr.R.Alagumani

For R1 to R4 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl. Side)

ORDER

This petition has been filed 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 survey No.245/1B, to an extent of 15 cents situated at Vadacheri Village, Kulithalai Taluk, Karur District based on the O.S.No.63 of 2022 on the file of the District Munsif Court, Kulithalai, by considering the petitioner's representation dated 13.09.2023.

2. Learned counsel for the petitioner submitted that the petitioner's father has purchased a land in the year 1982 in Survey No.245/1B to an extent of 15 cents at Vadacheri village, Kulithalai Taluk, Karur District.



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The petitioner's family members are in continuous possession and enjoyment of the property. On 29.07.2011, the petitioner's father died.

The patta and revenue records were in the name of the petitioner's father.

Now the respondents 5 to 8 are attempting to illegally occupy the petitioner's part of land and threatening the petitioner. Hence a suit in O.S.No.63 of 2022 has been filed before the learned District Munsif Court, Kulithalai. Even after the grant of permanent injunction in favour of the petitioner, the private respondents are disturbing the petitioner's peaceful possession and enjoyment. Hence a representation was given seeking police protection to fence the petitioner's property.

3. Learned Government Advocate (CrI.side) would submit that the representation was enquired in C.S.R.No.512 of 2023. During the enquiry both sides appeared and this petitioner and the rival parties have come to a settlement that they will settle the issue by measuring the property at the village level. In view of the undertaking the complaint was closed.

4. In view of the development, nothing survives for further adjudication.



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5. Accordingly, this Criminal Original Petition is dismissed as
infructuous.

06.10.2023

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,
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.The Head Surveyor, Kulithalai, Karur District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

G.ILANGOVAN. J.

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