



CrI.O.P.No.9870 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **04.04.2025**

CORAM

THE HON'BLE Mr. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.9870 of 2025

S. Sakthivel

... Petitioner

Versus

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

2.The Inspector of Police,
Perundurai Police Station,
Perundurai, Erode District.

3.Mr. Rajendran

...Respondents

Prayer: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the second respondent to grant Police Protection to the petitioner for executing the order of Revenue Divisional Officer, Erode, dated 28.10.2024 vide Na.Ka.No.2371/2024/A1 for taking water from the lands in Survey Nos.79/1 & 79/2 to his agricultural land which is located in Survey No.79/5, situated at Puthur Pudupalayam Village, Perundurai Taluk, Erode District.

For Petitioner : Mr. M. R. Jothimanian

For Respondents : Mr. R. Vinothraja (for R1 & R2)
Government Advocate (Criminal Side)



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ORDER

WEB COPY This Criminal Original Petition has been filed seeking a direction to the second respondent to grant Police Protection to the petitioner for executing the order of Revenue Divisional Officer (RDO), Erode, dated 28.10.2024 vide Na.Ka.No.2371/2024/A1, thereby permitting the petitioner to take water from the lands in Survey Nos.79/1 & 79/2 to his agricultural land which is situated in Survey No.79/5, situated at Puthur Pudupalayam Village, Perundurai Taluk, Erode District.

2. The petitioner owns the agricultural lands in S.No.79/5, Puthur Pudupalayam Village, where he cultivates Coconut trees and draws water from S.No.79/1 & S.No.79/2 through pipeline. The petitioner acquired the property through a partition between himself and his family members. However, the third respondent obstructed the petitioner to draw the water from the common well. Consequently, the petitioner approached the RDO with a representation dated 29.04.2024, seeking permission to take water for irrigation purposes. After due enquiry, the RDO passed an order on 28.10.2024, permitting the petitioner to draw the water without interference. Despite obtaining the order in his favour, the petitioner has been unable to implement the order and his crops are now at risk of dying due to lack of water. With no other recourse, the



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petitioner has approached this Court with the above said prayer.

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3. Heard both sides and perused the materials available on record.

4. Considering the above facts and circumstances, the second respondent police is directed to issue notice to the interested parties, conduct an enquiry, and pass appropriate orders to provide adequate police protection to enable the petitioner to comply the RDO's order dated 28.10.2024 vide Na.Ka.No.2371/2024/A1 for taking water from the lands in Survey Nos.79/1 & 79/2 to his agricultural land which is located in Survey No.79/5, situated at Puthur Pudupalayam Village, Perundurai Taluk, Erode District. The second respondent police shall complete this process within a period of two weeks from the date of receipt of a copy of this order.

5. With the above observations and direction, this Criminal Original Petition is disposed of.

04.04.2025

klt



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G.K.ILANTHIRAIYAN,J.

Klt

To

- 1.The Superintendent of Police,
Erode, Erode District.
- 2.The Inspector of Police,
Perundurai Police Station,
Perundurai, Erode District.
- 3.The Public Prosecutor,
High Court, Madras.

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