



Crl.O.P.No.32193 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2025

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.32193 of 2024

G.Panchatcharam

... Petitioner

Vs.

1. The District Superintendent of Police,
District Police Head Quarters,
Mayiladuthurai District.

2. The Inspector of Police,
Thiruvengadu Police Station,
Thiruvengadu,
Mayiladuthurai District.

3. Nadanam

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C.,
and 528 of BNSS Act, pleaded to direct the 1st and 2nd respondents to
give police protection to the petitioner's life and his cultivating land in
S.Nos.208/1, 208/2 & 208/3 which is situated at No.80, Aalangadu,
Radhanallur Police, Seerkazhi Taluk, Mayiladuthurai District.



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For Petitioner : Mr.P.Vijendran
For R1 and R2 : Mr.S.Sugendran,
Additional Public Prosecutor
For R3 : Mr.R.Kuyilan

ORDER

This Criminal Original Petition has been filed to direct the 1st and 2nd respondents to give police protection to the petitioner's life and his cultivating land in S.Nos.208/1, 208/2 & 208/3 which is situated at No.80, Aalangadu, Radhanallur Police, Seerkazhi Taluk, Mayiladuthurai District.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the official Respondents and the learned counsel appearing for the private respondent perused the materials available on record.

3. Learned counsel for the petitioner submitted that the petitioner's name was recorded as cultivating tenant in respect of the subject property in the registers of Taluk Office, Sirkali under Section 5



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of the Tamil Nadu Agricultural Lands Record of Tenancy Rights Act.

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The third respondent herein without any legal right, prevented the petitioner from cultivating the land and threatening him to vacate the land. Hence the petitioner lodged a complaint as against the private respondent before the respondent-Police. Since there is no response from the respondent-Police, the petitioner has filed this petition.

4. Learned counsel for the private respondent submitted that the petitioner has recorded him as cultivating tenant by fraud. Hence, he filed an application in Na.Ka.A.30 of 2023 before the learned Revenue Court, Mayiladuthurai, to remove the petitioner's name from tenancy record and the same was dismissed on 17.10.2023. Aggrieved over the same, he has also filed an appeal before the Tenancy Tahsildar for setting aside the order of the Revenue Court, Mayiladuthurai and the same is pending.

5. Considering the submissions made on both sides and also on perusal of the records, it is found that the third respondent herein filed an



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application in Na.Ka.A.30 of 2023 seeking to remove the petitioner's name from the tenancy record and the same was dismissed on 17.10.2023. Aggrieved over the same, third respondent filed an appeal before the Tenancy Tahildar and the same is pending. Registration of tenancy and entries in the tenancy record with regard to the subject matter has to be testified by the Tenancy Tahsildar only in the manner known to law. Till then, the petitioner is entitled to cultivate the subject land. Hence, the second respondent-Police is directed to give police protection to the petitioner until the outcome/order of the Tenancy Tahsildar.

6. In view of the same, this Criminal Original Petition is disposed of.

23.01.2025

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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To

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District Police Head Quarters,
Mayiladuthurai District.
2. The Inspector of Police,
Thiruvengadu Police Station,
Thiruvengadu, Mayiladuthurai District.
3. The Public Prosecutor,
High Court, Chennai.



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P.VELMURUGAN, J.

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