



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.02.2025

CORAM

THE HONOURABLE **MR.JUSTICE P. DHANABAL**

Crl.O.P(MD)No.3084 of 2025

Madhavan

... Petitioner

Vs

1. The State of Tamilnadu,
The Superintendent of Police,
Superintendent of Police Office,
Kanyakumari.

2. The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.

3. The Tashildar,
Taluk Office,
Kalkulam Taluk,
Kanyakumari District.

4. K.Vijaya Lakshmi

5. K.Kumara Dhas

... Respondents

PRAYER: Criminal Original petitions have been filed under Section 528 of BNSS to issue a direction to the Respondents No.1 and 2 to provide with adequate police protection to the petitioner and his children and family members of the petitioner to protect their life and limb and to ensure smooth



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and peaceful possession and enjoyment of the land comprised in S.No. 597/2, Villukuri "B" Village, Kalkulam Taluk, Kanyakumari District, on the basis of the petitioner's complaint dated 28.01.2025.

For Petitioner : Mr.C.Kishore

For Mr.K.Mondela Anand

For R1 & R2 : Mr.M.Sakthi Kumar

Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking to direction the respondents 1 and 2 to provide with adequate police protection to the petitioner and his family members to protect their life and limb and to ensure smooth and peaceful possession and enjoyment of the land comprised in S.No.597/2, Villukuri "B" Village, Kalkulam Taluk, Kanyakumari District, on the basis of the petitioner's complaint dated 28.01.2025

2.According to the petitioner, he is the owner of the property and



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already, based on the direction of this Court, the survey officials have conducted a survey and fixed boundary stones in the subject property. At the time of laying boundary stones, the private respondents also present and they have not objected for the same. However, after installing the boundary stones, the same were removed and now, the private respondents are objecting to erect fence. Therefore, the petitioner for seeking police protection, gave a complaint dated 28.01.2025 and the same has not been considered. Hence, he filed this petition.

3.The learned Government Advocate (Crl.Side) appearing for the respondents 1 to 3 would submit that already the subject property was surveyed and boundary stones were fixed and thereafter, due to some misunderstanding, a dispute arose between the parties. He would further submit that the complaint of the petitioner, dated 28.01.2025 will be considered and it will be disposed of within a period of one week.

4.Considering the limited scope of prayer sought for in this petition, this Court, even without issuing notice to the private respondents, is inclined to dispose of this petition.



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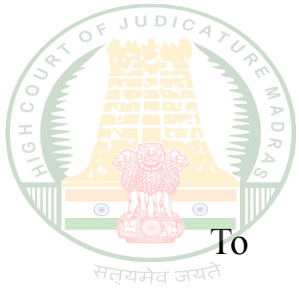
5. According to the petitioner, his land was already surveyed and boundaries were also fixed. Thereafter, the private respondents removed the boundary stones and now obstructed the petitioner from erecting fence. Therefore, the petitioner sent a complaint dated 28.01.2025 to the second respondent and the second respondent has also admitted the receipt of the said complaint and the same is under consideration. Therefore, this Court directs the second respondent to consider the petitioner's complaint dated 28.01.2025 and dispose of the same within a period of one week from the date of this order, in accordance with law.

5. With the above said directions, this criminal original petition is disposed of.

19.02.2025

Internet : Yes
Index : Yes/No
NCC : Yes/No
LR

Note: Issue Order copy on 20.02.2025



To

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1. The Superintendent of Police,
Superintendent of Police Office,
Kanyakumari.
2. The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.
3. The Tashildar,
Taluk Office,
Kalkulam Taluk,
Kanyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P. DHANABAL, J.

LR

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