

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.8254 of 2021

1. FMR.21, Morappur Fishermen Co-operative Society,  
Kuppachiammal Illam,  
Mariyamman Koil Street,  
Harur - 636 903, Dharmapuri District.
2. Tmt.M.Buvaneswari,  
Elected President of  
FMR.21, Morappur Fishermen Co-operative Society,  
Kuppachiammal Illam, Mariyamman Koil Street,  
Harur - 636 903, Dharmapuri District. ....Petitioners

Versus

1. The Superintendent of Police,  
Dharmapuri District,  
Dharmapuri.
2. The Inspector of Police,  
Pappireddipatti Police Station,  
Pappireddipatti,  
Dharmapuri District.
- 3.Viswanathan
- 4.Sekar
- 5.Chinnadurai
- 6.Thennarasu ....Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents 1 and 2 to provide police protection to the 1<sup>st</sup> petitioner society to carry out fishing operation in the Vaniyar Reservoir situated at Dharmapuri based on the grant of lease for fishing right to the members of the 1<sup>st</sup> petitioner society for a period from 01.07.2020 to 30.06.2025 issued by the Deputy Director of Fisheries (Inland Fisheries), Dharmapuri in proceedings in Se.Mu.No.2558/E.2018, dated 01.07.2020.

For Petitioners: Mr.S.Doraiswamy  
For Respondents: Mr.M.Mohamed Riyaz,  
Additional Public Prosecutor

## ORDER

This Criminal Original Petition has been filed seeking for a direction to direct the respondents 1 and 2 to provide police protection to the 1<sup>st</sup> petitioner's society to carry out fishing operation in the Vaniyar Reservoir situated at Dharmapuri based on the grant of lease issued by the Deputy Director of Fisheries (Inland Fisheries), Dharmapuri in proceedings in Se.Mu.No.2558/E.2018, dated 01.07.2020, for fishing right to the members of the 1<sup>st</sup> petitioner's society from 01.07.2020 to 30.06.2025.

2.The second petitioner is the elected president of Morappur Fishermen Co-operative Society in Harur. The defacto complainant has given a lease for fishing right in the Vaniyar Reservoir situated at Dharmapuri District, from the period of 01.07.2020 to 30.06.2025, after paying the lease amount, they are carrying the fishing activities in the said reservoir. While so, on 21.04.2021, people belonging to the political parties from Vengadasamuthiram Village, around 7.00 am., trespassed into the said reservoir and were catching the fishes without having any rights and demanded Rs.10 Lakhs. They also threatened the members of the petitioner's society with dire consequences. When they refused to pay their demanded money, they had taken away 1500 kgs of fishes along with them and also they robbed weighing machine, fish box and bill books kept in the Car bearing Registration No.TN-54-E-5816, which belonged to one Chinnadurai, who is one of the members in that society and also some cash. Therefore, the second petitioner, president of the society has lodged a complaint and the same was registered in C.S.R.No.88 of 2021, by the respondent/police but, so far no action has been taken. Hence, the present petition filed before this Court.

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

4.It is seen that the petitioner is authorized by the Deputy Director of Dharmapuri to catch the fishes, for which, necessary fees had already been paid and no other person can interfere with the fishing in the said reservoir. On the influence of the political parties, the accused trespassed into the fish property, caught and demand protection money, which is against law. Therefore, the respondent/police is directed to conduct enquiry and after completion of enquiry, if any cognizable offence is made out, register the First Information Report against the offenders in accordance with the law.

5.The first respondent shall direct the second respondent to ensure that the petitioner and the petitioner's society carries on the fishing activities without any hindrance of the respondents 3 to 6 and others from the respondent's side.

6.With the above directions, this Criminal Original Petition is allowed.

-s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

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

2.The Inspector of Police,  
Pappireddipatti Police Station,  
Pappireddipatti,  
Dharmapuri District.

3.The Public Prosecutor,  
High Court, Madras.

+1 CC to Mr.S. Doraisamy, Advocate sr 26529.

CRL.O.P.No.8254 of 2021

UM(CO)  
SP(24/06/2021)

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