

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.08.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP Nos.14585 & 11195 of 2015

and

W.P.No.6062 of 2015 & M.P.Nos.1 and 2 of 2015

- 1.N.K.Leelavathy .. 1st Petitioner in Crl.OP.14585/2015
2.N.Govindarajan .. 2nd Petitioner in Crl.OP.14585/2015
.. Petitioner in Crl.OP.11195/2015 &
.. Petitioner in W.P.6062/2015
3.Srividya Govindarajan .. 3rd Petitioner in Crl.OP.14585/2015
4.Loganathan .. 4th Petitioner in Crl.OP.14585/2015
5.V.Maheswari .. 5th Petitioner in Crl.OP.14585/2015

Vs

- 1.The Commissioner of Police,
Egmore, Chennai. .. 1st Respondent in Crl.OP.14585/2015
.. 1st Respondent in W.P.6062/2015
2.The Inspector of Police,
Central Crime Branch,
Team -XVIA, Vepery
Chennai-7. .. 2nd Respondent in
Crl.OP.14585/2015
3.The Commissioner of Police,
Chennai City Commissioner Office,
Purasaiwakkam, Chennai. .. 1st Respondent in
Crl.OP.11195/2015
4.State, represented by
Inspector of Police,
R-1, Mambalam Police Station,
T.Nagar, Chennai. .. 2nd Respondent in
Crl.OP.11195/2015
5.State, represented by
Inspector of Police,
Team-5, CCB, Commissioner Office,
Purasaiwakkam, Chennai. .. 3rd Respondent in
Crl.OP.11195/2015
6.The Joint Commissioner of Police,
St.Thomas Mount, Chennai -600 016.

.. 2nd Respondent in W.P.6062/2015

7.The Assistant Commissioner of Police,
R1, Mambalam Police Station,
Chennai - 17. .. 3rd Respondent in W.P.6062/2015

8.The Inspector of Police,
R1, Mambalam Police Station,
Chennai - 17. .. 4th Respondent in W.P.6062/2015

9.Mr.Radhakrishnan
Assistant Commissioner of Police,
R1, Mambalam Police Station,
Chennai - 17. .. 5th Respondent in W.P.6062/2015

10.Mr.Krishnamurthy
Inspector of Police,
R1, Mambalam Police Station,
Chennai - 17. .. 6th Respondent in W.P.6062/2015

11.T.G.Neelam .. 7th Respondent in W.P.6062/2015

12.S.Logeswari .. 8th Respondent in W.P.6062/2015

Prayer in CrI.OP.14585 of 2015:

Criminal Original Petition filed under Section 482 Cr.P.C., praying to issue direction, directing the respondents herein not to harass the petitioner's without due process of law.

Prayer in CrI.OP.11195 of 2015:

Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the transfer of investigation in Crime No.1517 of 2015 on the file of the second respondent police to CBCID or third respondent or any other fair agency.

Prayer in W.P.6062 of 2015:

Writ Petition filed under Article 256 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents 1 and 2 to take action against the 5 to 8 respondents on the basis of the complaint/ representation dated 27.02.2015 given by the petitioner in the light of the Hon'ble Court reported judgment in 2010 4 CTC 324.

For Petitioners :Mr.L.Infant Dinesh [in both CrI.OPs]
Mr.V.Stalin [in WP.No.6062 of 2015]

For Respondents :Mr.C.Emalias
Additional Public Prosecutor
[in both CrI.OPs & R1 to R6 in WP.6062/2015]

: Mr.N. Raja Vadivelu, for 7& 8 in
WP.6062/15

COMMON ORDER

On 16.06.2015, this Court has directed the Deputy Commissioner of Police, T.Nagar, Chennai, to conduct enquiry with regard to the allegations made against the Police and also about the aggression committed by some persons, for taking forcible possession of the property within the jurisdiction.

2.The Deputy Commissioner of Police, T.Nagar, Chennai, has conducted enquiry and he has filed a final report dated 10.08.2015, wherein in paragraph Nos. 16, 17, 18 & 19, he has stated as follows :

16)I submit that it is the immediate and necessary action initiated by the Inspector of Police, R1 Mambalam Police Station curtailed further occurrences in between both the parties and the situation is normal and calm. Tr.Govindarajan is now in possession and enjoyment of the property disputed by Tr.Neelam and Tmt.Logeshwari peacefully and no further occurrence is reported. Beat parties are regularly visiting the area to avert any untoward incident and signing the patta books kept there in favour for visiting the area.

17)I submit that, the case registered in R1 PS Cr.No.1517/2015 based on the complaint Tr.Govindarajan is investigated and on completion of the investigation, charge sheet has been filed against Tr.Neelam, Tr.Murugesan and others and the same was taken on file in CC.No.3839/15 dated 28.07.15.

18)I submit that though Tr.Neelam, Tmt.Logeshwari and Tr.Govindarajan were disputing in the Civil Court in connection towards the claim of ownership over the property in dispute, but any how physical possession and enjoyment of the same with Mr.Govindarajan.

19)The alleged aggression as raised in the complaint of Tr.Govindarajan was properly and suitably handled and at present no such complaint for any source from the above disputing parties.

3. Accepting the aforesaid report of the Deputy Commissioner of Police, T.Nagar, Chennai, these petitions are closed with liberty to the petitioner to work out their remedies in the manner

known to law. Consequently, connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ds

To

- 1.The Commissioner of Police,
Egmore, Chennai.
- 2.The Inspector of Police,
Central Crime Branch,
Team -XVIA, Vepery
Chennai-7.
- 3.The Commissioner of Police,
Chennai City Commissioner Office,
Purasaiwakkam, Chennai.
- 4.The Inspector of Police,
R-1, Mambalam Police Station,
T.Nagar, Chennai.
- 5.The Inspector of Police,
Team-5, CCB, Commissioner Office,
Purasaiwakkam, Chennai.
- 6.The Joint Commissioner of Police,
St.Thomas Mount, Chennai -600 016.
- 7.The Assistant Commissioner of Police,
R1, Mambalam Police Station,
Chennai - 17.
- 8.The Inspector of Police,
R1, Mambalam Police Station,
Chennai - 17.
- 9.Mr.Radhakrishnan
Assistant Commissioner of Police,
R1, Mambalam Police Station,
Chennai - 17.

10.Mr.Krishnamurthy
Inspector of Police,
R1, Mambalam Police Station,
Chennai - 17.

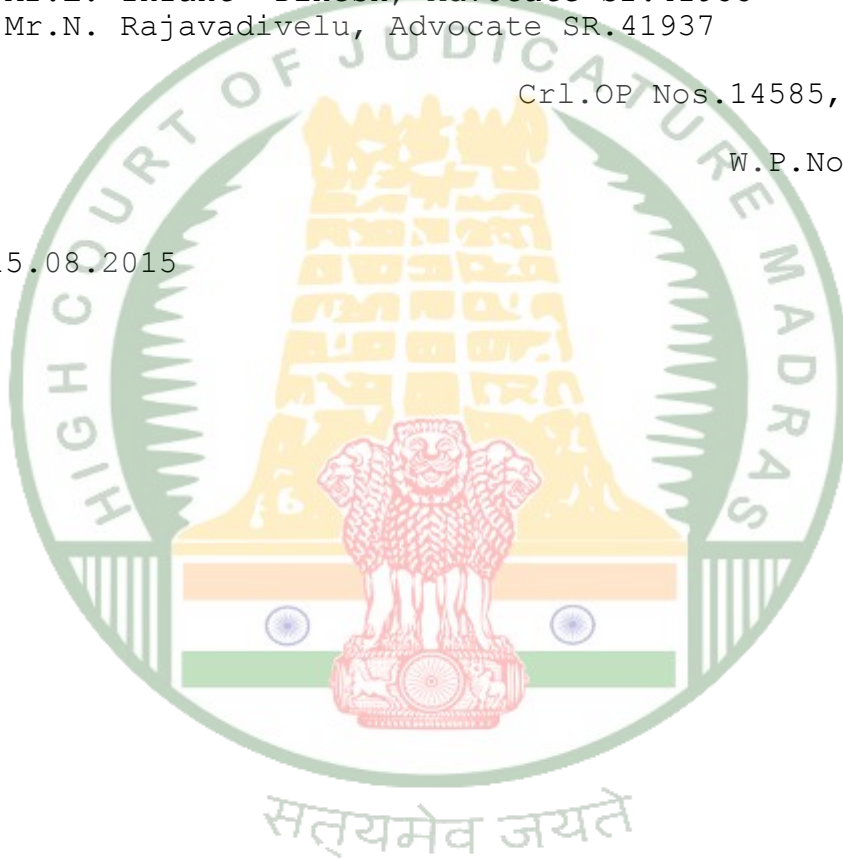
11.The Public Prosecutor,
High Court, Madras.

12. The Deputy Commissioner of Police,
T.Nagar, Chennai.

1 cc to Mr.L. Infant Dinesn, Advocate Sr.41955
+ 1 cc to Mr.N. Rajavadivelu, Advocate SR.41937

Crl.OP Nos.14585, 11195 of 2015
and
W.P.No.6062 of 2015

KJI (CO)
EU 26.08.15.08.2015



WEB COPY