

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.29106 of 2015

R.Murali

... Petitioner

Vs

The Station House Officer,
Lawspet Police Station,
Puducherry.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent police to give protection to the petitioner, his agents, document and his servants in respect of the property situated at bearing Plot Nos.3 and 4 , Kuringi Nagar, comprised in Kathaskar No.987/3 as per settlement Re-survey No.23/22, Kathaskar No.986/3/3/3/8/32, 986/3/3/13/32, 986/3/3/20/32 and 986/3/3/30/32 as per Patta No.416 measuring 2910 sq.ft belonging to the petitioner.

For Petitioner : Mr.J.Suresh

For respondent : Mr.A.Balamurugan
Addl.Public Prosecutor(Puducherry)

सत्यमेव जयते
O R D E R

This petition has been filed to direct the respondent police to give protection to the petitioner, his agents, documents and his servants in respect of the property.

2. The petitioner has purchased the property bearing Plot Nos.3 and 4 situated at Kurinchi Nagar comprised in Kathaskar No.987/3 as per settlement Re-survey No.23/22, Kathaskar No.986/3/3/3/8/32, 986/3/3/13/32, 986/3/3/20/32 and 986/3/3/30/32 as per Patta No.416 measuring 2910 sq.ft. Ever since the purchase of the property, the petitioner is in possession and enjoyment of the said property. The petitioner submitted that during the month of November, 2014, some persons

claimed to be the members of Kuringi Nagar Nala Vazhvu Sangam tried to illegally take possession of the property without any notice. Immediately, the petitioner gave a representation to the Commissioner, Ouzhaarkari Municipality. Since the petitioner is the absolute owner of the property, he decided to fence the property. On 18.10.2015, when he tried to construct a compound wall, few persons claimed to be the members of Kurinchi Nagar Nala Vazhvu Sangam attempted to disrupt the construction and also threatened the petitioner and his workmen with dire consequences. Hence, the petitioner gave a complaint before the respondent police. Since the same was not considered, the present petition has been.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

4. In view of the submissions made on either side, this Court directs the petitioner to give a fresh representation to the respondent police along with a copy of this order. On receipt of the representation from the petitioner, the respondent police is directed to appropriate orders, after giving an opportunity of personal hearing to the petitioner as well as other necessary parties with regard to providing police protection, purely on merits and in accordance with law as early as possible. It is made clear that this Court is not expressing any opinion with regard to the claim of the petitioner and it is for the respondent to decide the same purely on merits.

5. The criminal original petition is disposed of accordingly.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

To

1. The Station House Officer,
Lawspet Police Station,
Puducherry.

2. The Public Prosecutor,
High Court, Chennai.

+1 cc to Mr.J.Suresh, Advocate, sr.69088

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vsn co, kra 11.01.2016