

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.29417 of 2015

S.Neevanthammal

... Petitioner

Vs

1.The State, rep. by

The Assistant Commissioner of Police,
No.2/321, Old Mahabalipuram Road,
Thoraipakkam,
Chennai 600 097.

2.The Inspector of Police,

J-9, Thoraipakkam Police Station,
Chennai 600 097.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 1st respondent to provide police protection as and when necessary to the petitioner and his family with respect to interim injunction passed in the schedule mentioned property in I.A.No.668 of 2015 in O.S.No.465 of 2015.

For Petitioner : M/s.Nathan and Associates

For respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the 1st respondent to provide police protection as and when necessary to the petitioner and his family members with respect to interim injunction passed in the schedule mentioned property in I.A.No.668 of 2015 in O.S.No.465 of 2015.

2. The petitioner submits that she is the owner of property comprised in Survey No.384/5B, Ikkiyam Thoraipakkam Village, Tambaram Taluk, Kanchipuram District measuring about 1909 sq.ft. under patta No.197 by way of registered sale deed, vide Doc.No.5463 of 2006 in the office of SRO, Neelangarai. The only ground raised by the petitioner is that inspite of the

interim order passed in I.A.No.668 of 2015 in O.S.No.465 of 2015 dated 29.04.2015, from interfering with the peaceful possession and enjoyment of the property by the petitioner, there was continuous threat to the petitioner asking him to transfer the property to some other third party. Hence, the petitioner gave a complaint before the 2nd respondent police. Since no action was taken so far, the present petition was filed.

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

4. This Court is of the opinion that the petitioner is having a remedy before the Civil Court with regard to the disobedience of the interim order passed by the Civil Court. Therefore, this Court cannot give a direction as prayed for. Hence, the criminal original petition is dismissed.

Sd/-
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

vsi/cla

To

1.The Assistant Commissioner of Police,
No.2/321, Old Mahabalipuram Road,
Thoraipakkam,
Chennai 600 097.

2.The Inspector of Police,
J-9, Thoraipakkam Police Station,
Chennai 600 097.

3. The Public Prosecutor,
High Court, Madras.

4. The District Munsif,
Alandur.

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