

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.5.2016

CORAM:
THE HON'BLE MR.JUSTICE B.GOKULDAS

Crl.O.P. No.10858 of 2016

Fyroze Noormohammed

.. Petitioner

Vs.

1. The Commissioner of Police,
Greater Chennai,
O/o. Commissioner of Police Greater Chennai,
8th Floor, E.V.K.Sampath Salai,
Vepery, Chennai-600 007.

2. The Additional Commissioner of Police,
Law & Order (North)
O/o. Commissioner of Police Chennai,
8th Floor, E.V.K.Sampath Salai,
Vepery, Chennai-600 007.

3. The Inspector of Police,
K-3, Aminjikarai Police Station,
Chennai-600 029.

Respondents

..

Criminal Original Petition filed under section 482 of Criminal Procedure Code directing the 3rd respondent to provide Police Protection to the petitioner and to her property on representation dated 27.04.2016 vide reference No.C.No.210/ADDL.COP.L&O North/CAMP/2016.

For Petitioner : Mr.B.B.Sendhilkumar

For Respondent : Mr.K.Prabakar

Govt. Advocate
(Criminal side)

ORDER

The petitioner has come forward with this petition seeking a direction to the 3rd respondent to provide Police Protection to the petitioner and to her property on representation dated 27.04.2016 vide reference No.C.No.210/ADDL.COP.L&O North/CAMP/2016.

2. The case of the prosecution is that the petitioner used the second floor of her property where she has put up a shed, as a place of worship. While so, one Mr.Seeni Mohammed along with others joined her for prayer. As they started harassing the petitioner and threatened her with dire consequences, she lodged a complaint before the third respondent. However, no action was taken by them. Thereafter, the petitioner approached the V City Civil Court, Chennai in O.S.No.2161 of 2016 in which the said Court passed an order of interim injunction. In the meantime, with respect to petitioner's property, the Corporation of Chennai issued a locking and sealing and Demolition notice to comply with sanction plan within 30 days failing which the petitioner would be put to great hardship. Subsequently, the petitioner gave a representation to the second respondent and the same was forwarded to third respondent vide reference No.C.No.210/ADDL.COP.L&O North/CAMP/2016 dated 27.04.2016, seeking police protection to comply with the notice dated 04.04.2016 issued by Corporation of Chennai. Since no action

was taken on the said representation, the petitioner has come forward with the present petition.

3. Heard both sides

4. Considering the facts and circumstances of the case and as there is likelihood of arising communal problem, the third respondent is directed to give police protection at the cost of the petitioner to remove the shed of the petitioner, if necessary, within 15 days from the date of receipt of a copy of this order, if it is not stayed by any civil court order and also on due enquiry upon any petitions being filed by public or users of the shed.

5. This criminal original petition is disposed of accordingly.

26.5.2016

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B.GOKULDAS, J.

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To

1. The Commissioner of Police,
Greater Chennai,
O/o. Commissioner of Police Greater Chennai,
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2. The Additional Commissioner of Police,
Law & Order (North)
O/o. Commissioner of Police Chennai,
8th Floor, E.V.K.Sampath Salai,
Vepery, Chennai-600 007.

3. The Inspector of Police,
K-3, Aminjikarai Police Station,
Chennai-600 029.

4 . The Public Prosecutor,
High Court, Madras - 600 104.

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