

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

WP No.34332 of 2016

1. V.Devaraj,
2. V.Soundarrajan,
3. V.Damodharaswamy,
4. V.Ramachandran,
5. V.Lakshminarayasamy,
6. Mrs.Santhamani ... Petitioners

Vs

The Commissioner of Police,
Coimbatore City,
Coimbatore - 641 018. ... Respondent

Prayer:- Writ Petition filed under Article 226 of The Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to provide Police Protection to the petitioners with regard to their enjoyment of the lands of the extent of 4.15 Acres in S.No.384/1, Kalapatti Village, Coimbatore North Taluk, as per the directions of the Civil Court in I.A.No.1562 of 2014 seeking for Police Aid to maintain the order in I.A. No.1269 of 2014 in O.S.No.1087 of 2014 on the file of the Learned Principle District Munsif, Coimbatore within such time as may be fixed by this Honourable Court.

For Petitioners : M/s.P.Srinivas
For Respondent : Mr.C.Emalias,
Addl. Public Prosecutor

सत्यमेव जयते
ORDER

This petition has been filed to direct the respondent to provide police protection to the petitioners with regard to their enjoyment of the lands to an extent of 4.15 acres in S.No.384/1, Kalapatti Village, Coimbatore North Taluk, as per the directions of the Civil Court in I.A.No.1562 of 2014 seeking for police aid to maintain the order in I.A. No.1269 of 2014 in O.S.No.1087 of 2014 on the file of the Principal District Munsif Court, Coimbatore.

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

3. Today, when the matter was taken up for hearing, learned Additional Public Prosecutor submitted that he has not been served a copy of affidavit, petition and typed set of papers and also submitted that the Commissioner of Police, Coimbatore has been arrayed as a respondent and not the local police.

4. The Commissioner, is not the Station House Officer u/s 154 Cr.P.C. Under such circumstances, the petitioner is directed to give a fresh representation in person to the Jurisdictional Station House Officer and on such representation being given, the Station House Officer is also directed to call both the parties and enquire into the same and take action in accordance with law.

With the above direction, this writ petition is disposed of. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

kmi

To

1.The Commissioner of Police,
Coimbatore City, Coimbatore - 641 018.

2.The Public Prosecutor High Court
Madras

3.The Principal District Munsif Coimbatore

4.The Station House Office
Coimbatore

+1 cc to Mr.P.Srinivas Advocate sr56876

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rj(co)
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