

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.5067 of 2016

V.V.V.Nachiappan

.. Petitioner

Vs.

1. The Deputy Superintendent of Police,
T.Nagar, Chennai 600 017.

2. The Inspector of Police,
Virugambakkam Police Station,
Virugambakkam, Chennai.

.. Respondents

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to grant police protection to the petitioner and his children for their peaceful enjoyment of their property bearing Plot No.27, Kumaran Colony layout, Vadapalani, forming part of Survey No.158, Saligramam Village.

For Petitioner : Mr.S.Thankasivan

For Respondents : Mr.C.Emalias

Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking a direction to the respondents to grant police protection to the petitioner and his children for their peaceful enjoyment of their property bearing Plot No.27, Kumaran Colony layout, Vadapalani, forming part of Survey No.158, Saligramam Village.

2.The learned counsel for the petitioner would submit that the property belongs to his wife viz., Saraswathi, after her death, the said property has been devolved upon her husband/the petitioner herein and her children. One Padmanathan has created a forged document in favour of one P.M.Elavarasan. On that basis they sought to register a sale deed. Due to objections for registration of forged document, the patta produced by the said parties in the name of S.N.Padmanathan before the Sub Registrar's Office was clarified as a forged document. Hence the said Elavarasan filed a Writ Petition in W.P.No.27012 of 2013 before this Court, seeking a direction to

register the sale deed. This Court, by order dated 10.07.2014 dismissed as devoid of merits with costs. Thereafter, he preferred a Writ Appeal in W.A.No.1160 of 2014 before this court, which was also dismissed on 02.09.2015. Even then, the petitioner was not able to enjoy the property peacefully. So, he gave a representation to the respondent police, but no action has been taken by them. Hence, he has come forward with this petition for the above stated relief.

3.At this juncture, the learned Additional Public Prosecutor would submit that on the basis of the complaint given by the petitioner, enquiry in C.S.R.No.99 of 2016 is pending.

4.Considering the rival submissions made by both sides, the second respondent is directed to consider the representation of the petitioner and to pass appropriate orders in accordance with law, within a period of three weeks from the date of receipt of a copy of this order.

5.The Criminal Original Petition is disposed of with the above direction.
kkd

s/d-
Assistant Registrar(AS)

True Copy

Sub-Assistant Registrar

To

1. The Deputy Superintendent of Police,
T.Nagar, Chennai 600 017.
 2. The Inspector of Police,
Virugambakkam Police Station,
Virugambakkam, Chennai.
 3. The Public Prosecutor
High Court, Chennai.
- + 1 cc to M/s.S.Thankasivan, Advocate SR 18257

rsk(co)
prk5/4

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