

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.8011 of 2017

P.Padmanaban

... Petitioner

Vs

1.The Superintendent of Police,  
Vellore,  
Vellore District.

2.The Inspector of Police,  
North Police Station,  
Sathuvachari,  
Vellore District.

3.V.S.Jayachandran

... Respondents

Criminal Original Petitions filed under Section 482 Cr.P.C. to direct the second respondent to provide the police protection to carry over the business without the interference of the third respondent.

For Petitioner : Mr.M.Sathish Kumar

For R1 & R2 : Mr.C.Emalias, APP

सत्यमेव जयते  
ORDER

This Criminal Original Petition has been filed seeking a direction to the second respondent to provide police protection to the petitioner to carry on his business without the interference of the third respondent.

2.It is the case of the petitioner that he is running a shop selling glass and plywood under the name and style of M/s.R.Krishnasamy Mudaliar & Co. in the premises owned by one Vellore Veerasamy Trust. He entered into a lease agreement with the authorized trustee of the said Trust on 21.11.2015 for a period of 11 months, which was extended from time to time. While so, the third respondent, who claims to be the trustee of

the said Trust, along with two others, trespassed into the petitioner's shop and threatened him to vacate the shop. Hence, the petitioner filed a complaint before the second respondent on 30.03.2017 requesting to take action against the third respondent herein and the same is pending without any progress. Taking advantage of the same, the third respondent with the help of henchmen, is threatening the petitioner to vacate the shop premises, which compelled the petitioner to prefer a complaint to the respondents 1 and 2 on 10.04.2017. Finding no response, the petitioner has filed the present petition for the above stated relief.

3.Learned counsel for the petitioner submitted that though the petitioner had entered into a lease agreement for the shop with the authorized trustee and paid an advance of Rs.1,00,000/- and is also paying the rent without any default, the third respondent, without any right over the premises in question, is threatening the petitioner and causing disturbance to the business of the petitioner.

4.I have heard the learned Additional Public Prosecutor for the respondents 1 and 2, who submitted that the co-operation of the petitioner is required for completion of enquiry.

5.Considering the facts and circumstances of the case, this Court, in order to give quietus to the issue involved, directs the second respondent to issue notice, calling upon the petitioner as well as the third respondent for enquiry and on such appearance by the parties, conduct enquiry and proceed in accordance with law. The petitioner is also directed to co-operate with the respondent police for enquiry.

6.This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1.The Superintendent of Police,  
Vellore,  
Vellore District.

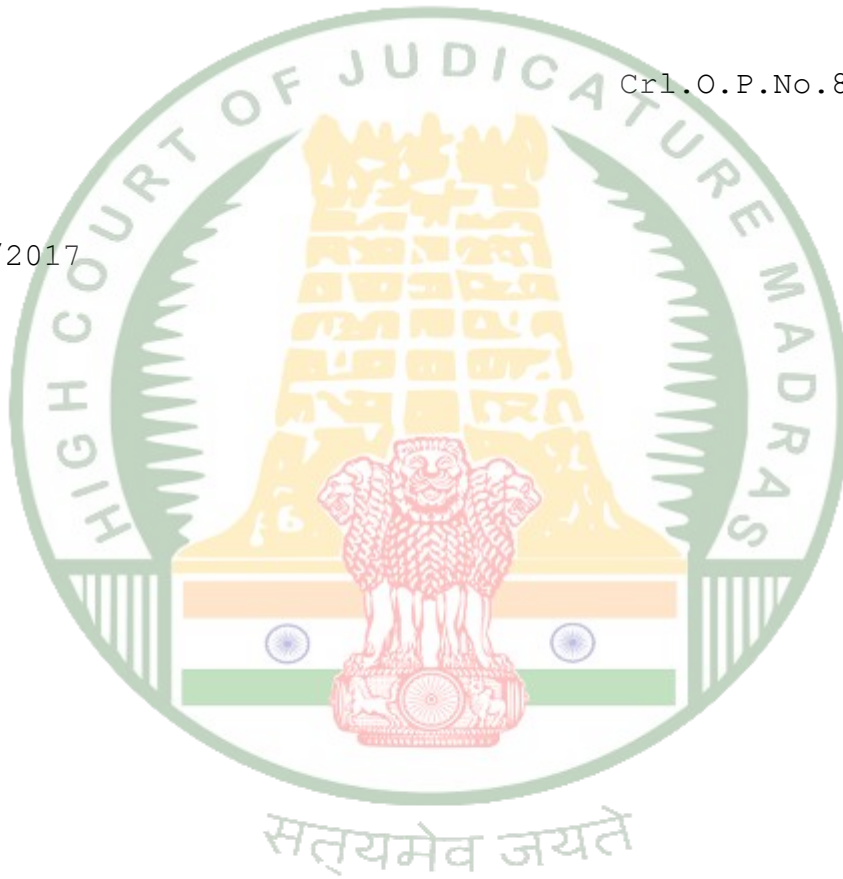
2.The Inspector of Police,  
North Police Station,  
Sathuvachari,  
Vellore District.

3.The Public Prosecutor,  
High Court, Madras.

+lcc to M/S.M.Sathishkumar, Advocate Sr.24625

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srg 29/05/2017



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