

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2017

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

Crl.O.P.No.6668 of 2017

- 1.M.A.Ahamed Uduman
- 2.M.A.Mohammed Gayazuddin
- 3.S.Guganathan
- 4.J.Rifaya Parveen
- 5.M.Velu
- 6.V.Jayashree

...Petitioners

Vs.

- 1.The Commissioner of Police,
Chennai City Police,
Veppery, Chennai-600 014.
- 2.State, Rep. by
The Inspector of Police (Law & Order)
D3 Ice House Police Station,
Royapettah, Chennai-600 014.

...Respondents

Criminal Original petition filed under Section 482 of Criminal Procedure code, to direct the respondents to provide police protection to the petitioners herein and to safeguard their Jeyam Apartments situated at Old No.15/16, New Nos.29/2 & 31/1, V.M.Street, Royapettah, Chennai-600 014 and also direct the respondents to take necessary action as against the violators of the various orders passed by this Court on various dates.

For Petitioners : Mr.A.Prakash

For Respondents : Mr.P.Govindarajan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondents to provide police protection to the petitioners herein and to safeguard their Jeyam Apartments situated at Old No.15/16, New Nos.29/2 & 31/1, V.M.Street, Royapettah, Chennai-600 014 and also direct the respondents to take necessary action as against the violators of the various orders passed by this Court on various dates.

2.Heard both sides.

3.The petitioners who have the benefit of two injunction orders passed by this Court have filed this present application seeking for police protection, in order to safeguard their property viz., Jeyam Apartments situated at Old No.15/16, New Nos.29/2 & 31/1, V.M.Street, Royapettah, Chennai-600 014.

4.It is seen from the records produced by the learned counsel for the petitioner, that this Court by an order dated 27.04.2014, passed in O.A.Nos.358

to 367 of 2016, an order of interim injunction has been passed in favour of the petitioners protecting peaceful possession. Likewise by an subsequent order dated 12.08.2016 passed in W.P.No.27869 of 2016 and W.M.P.No.24035 of 2016, another order of interim injunction has been granted restraining one Mrs.E.Jayanthi and others from interfering with the petitioners peaceful possession of the subject property.

5. When the petitioners have got orders of the High court protecting their possession and enjoyment of property, the second respondent is bound to extend police protection for the purpose of effectively implementing High Court orders.

6. The petitioners, in this regard, had given a complaint dated 15.11.2016, to the second respondent seeking for extension of police protection for the purpose of enjoying his suit property. However, since the said application seeking protection was not considered, he was constrained to file the present petition.

7. It may not be out of place to mention herein that the petitioners application without consideration by the second respondent for almost one

year would amount to dereliction of the ordinary duties of office. Hence, I am of the view that the petitioners are entitled for protection from the second respondent Police.

8. In the result, the criminal original petition stands allowed. The petitioners are granted liberty to approach the second respondent with the fresh representation seeking for protection enclosing the copies of the orders of this Court, granting injunction in their favour and on receipt of such representation, the second respondent shall ensure that necessary police protection is extended to them for the purpose of effectively implementing orders of this Court. Such an exercise of considering the representation shall be made within a period of one day from the date of receipt of such representation.

29.08.2017

abr/arr
Index : Yes

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To

1.The Commissioner of Police,
Chennai City Police,
Veppery, Chennai-600 014.

2.The Inspector of Police (Law & Order)
State, D3 Ice House Police Station,
Royapettah, Chennai-600 014.

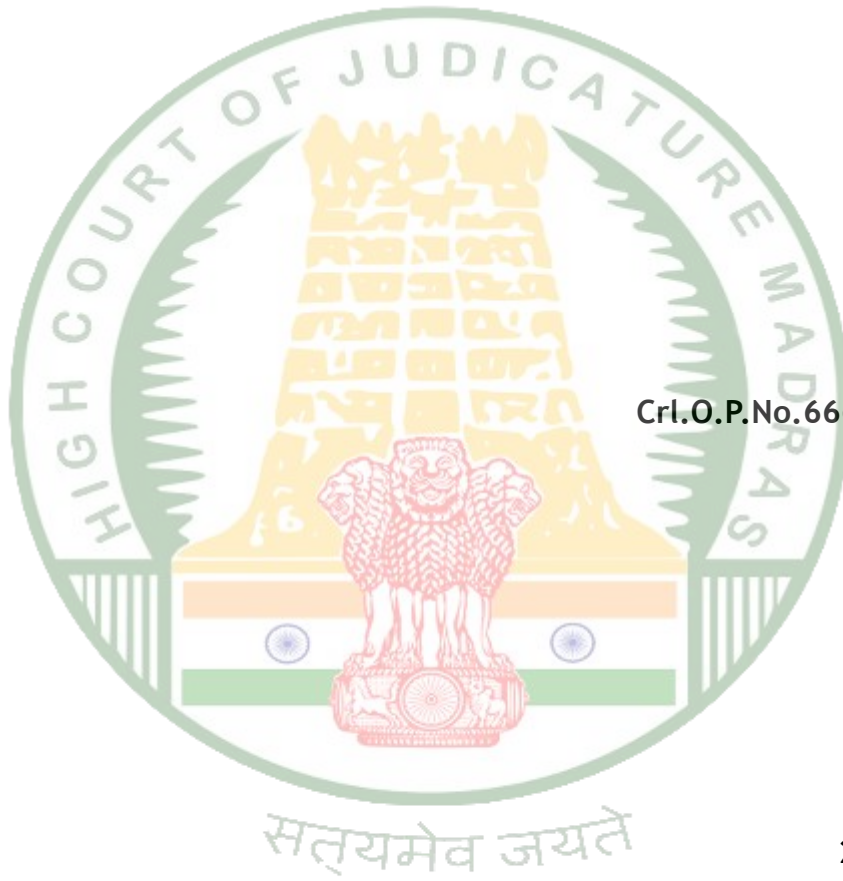
3.The Public Prosecutor,
High Court, Madras.



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M.S.RAMESH,J.

abr



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