

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2018

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.23928 of 2017

R.K.K.Veenakumari

... Petitioner

Vs.

1. The Inspector of Police,
D1, Ramanathapuram Police Station,
Coimbatore.
2. The Commissioner of Police,
Office of the Commissionerate,
Coimbatore.
3. Meganathan ... Respondents
(Respondent 3 is impleaded as per
order dated 08.12.2017 made in
Crl.M.P.No.15473 of 2017)

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the first respondent to provide police protection to the petitioner's properties situated at T.S.No.1 and T.S.No.2 on payment of applicable charges by the petitioner.

For Petitioner : Mr.M.Aravind Subramaniam
For Respondents 1 & 2: Mrs.P.Kritika Kamal,
Government Advocate (Crl. Side)

For Respondent 3 : No appearance

ORDER

This petition has been filed by the petitioner seeking for a direction to the first respondent to provide protection to her properties situated at T.S.No.1 and T.S.No.2 on payment of applicable charges by her.

2. Heard M.Aravind Subramaniam, learned counsel for the petitioner, Mrs.P.Kritika Kamal, learned Government Advocate (Crl. Side) for the respondents 1 & 2. Though notice has been served on the respondent 3 and the name is also printed in the cause list today, none appears on his behalf.

3. The petitioner herein claims to be an owner of the property situated at No.1602, Ward No.74, Trichy Road, Coimbatore. In view of the obstruction raised by certain persons, including the third respondent herein, the petitioner had given a representation to the first respondent seeking for protection. Since the petitioner's representation has not been considered till date, the present Criminal Original Petition has been filed.

4. Learned Government Advocate (Crl. Side) on instructions submitted that if the petitioner approaches the first respondent with a necessary application along with supporting documents, the same will be considered on its own merits.

5. It is needless to point out that whenever a representation made to the police officials, seeking for protection, they are duty bound to pass appropriate order in one way or other, instead of keeping it pending indefinitely.

6. According to the letter dated 18.01.2016 issued by the Municipal Administration and Water Supply Department, property in T.S.No.1 is a Government Poramboke Land and T.S. No.2 is a patta land. The petitioner claims to be a owner of the said T.S. No.2 through a patta proceedings in R.D.R.100/15 dated 10.08.2016. In view of the certain prima facie evidence, favouring the petitioner for her right over the property in T.S.No.2, the application has been made before the police officials seeking for protection.

7. In the light of patta granted in favour of the petitioner, it would be appropriate that a direction shall be given to the first respondent to consider the petitioner's representation for protection.

8. In the result, the Criminal Original Petition stands disposed with a liberty to the petitioner to approach the first respondent seeking for protection and on receipt of such representation, the first respondent shall conduct proper enquiry, after giving due opportunity to the petitioner as well as the respondent 3 and all other persons ,who may be interested in the subject lands and pass appropriate orders, taking into account the observations made in the present order.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

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To

1. The Inspector of Police,
D1, Ramanathapuram Police Station,
Coimbatore.

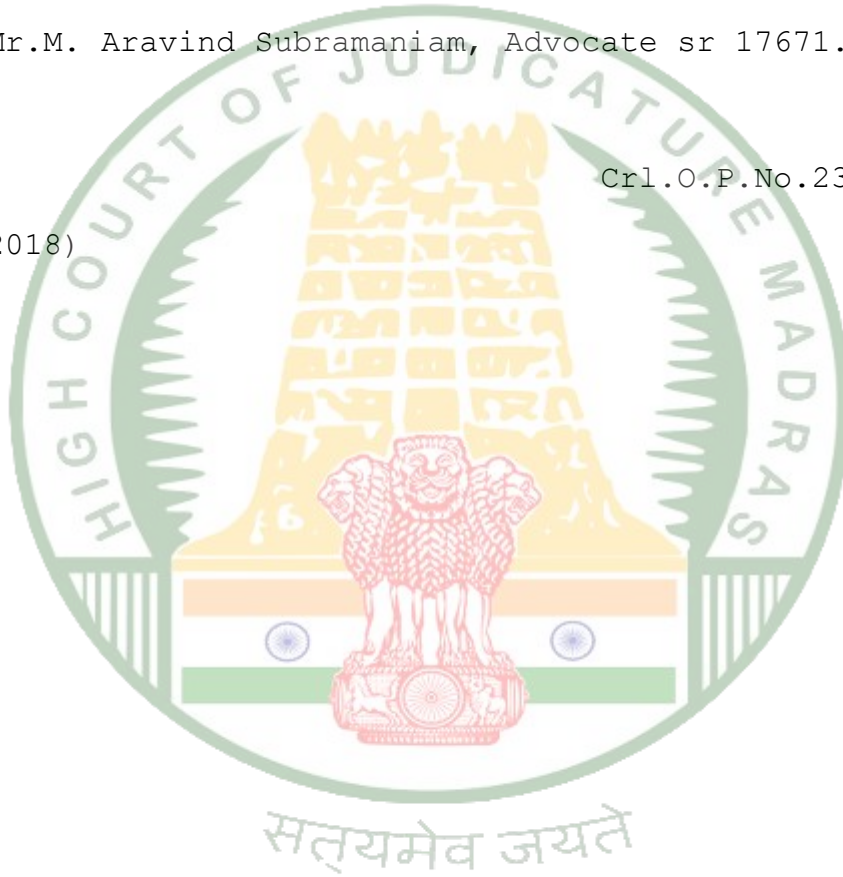
2. The Commissioner of Police,
Office of the Commissionerate,
Coimbatore.

3. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.M. Aravind Subramaniam, Advocate sr 17671.

Crl.O.P.No.23928 of 2017

SP(21/03/2018)



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