

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.24227 of 2018

P.Raja

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Chengam,
Tiruvannamalai District.

3.The Station House Officer,
Chengam Police Station,
Chengam,
Tiruvannamalai District.

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents to provide police protection for the properties admeasuring 2.75 cent comprised in Survey No.64/1, 16.25 cent comprised in Survey No.64/2A, 1 cent comprised in Survey No.63/1 and 0.06 cent comprised in Survey No.63/2 are situated at Pattavoor (Paramandhal Village), Chengam Taluk.

For Petitioner : Mr.R.Rajarajan

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking for a direction to the respondent police to provide police protection.

2.The learned counsel appearing for the petitioner would submit that the petitioner became the owner of the property by

virtue of the sale deed dated 12.03.1999. The petitioner was in possession and enjoyment of the property and one Azhagiri attempted to disturb the petitioner's peaceful possession and enjoyment of the property. Therefore, the petitioner along with two others filed a suit in O.S.No. 50 of 2011, before the Principal District Munsif Court, Chengam against the said Azhagiri and his wife, seeking for relief of the permanent injunction restraining them not to interfere with the peaceful possession and enjoyment of the property. An ex parte decree was passed against the said Azhagiri and his wife on 23.09.2016.

3. According to the learned counsel for the petitioner, this decree has become final and in spite of the said decree, the above said Azhagiri is continuing to interfere with the peaceful possession and enjoyment of the property and also causing threat to the petitioner. Therefore, a complaint was given before the first respondent on 11.09.2018, seeking for police protection. Since no action was taken on the complaint, the petitioner has approached this Court seeking for appropriate directions.

4. In view of the facts and circumstances stated hereinabove, the petitioner is directed to submit a fresh representation to the third respondent and the third respondent is directed to call the parties for an enquiry and take appropriate decision with regard to providing police protection to the petitioner.

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

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Tiruvannamalai,
Tiruvannamalai District.
2. The Deputy Superintendent of Police,
Chengam,
Tiruvannamalai District.
3. The Station House Officer,
Chengam Police Station,
Chengam, Tiruvannamalai District.

4.The Public Prosecutor,
Madras High Court,
Chennai.

+1 cc to Mr.R.Rajarajan, Advocate Sr.No.81163

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RGN(CO)
CSL/14.12.2018