

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2018

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.27213 of 2018

C.Ravindran

.. Petitioner

Vs

1. Deputy Commissioner of Police,
Office of the Deputy Commissioner of Police,
Adyar Range, First Floor,
J Police Station, Adyar, Chennai - 600 020.

2. Asst. Commissioner of Police,
Office of the Asst. Commissioner of Police,
First Floor, Police Station,
Saidapet, Chennai - 600 015.

3. Inspector of Police
R6 Kumaran Nagar Police Station,
Jaffer Khanpet, Saidapet,
Chennai - 600 056.

.. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to grant police protection to the ground floor shop portion bearing door No.10 Jawaharlal Nehru Salai, (Anjugam Nagar Main Road) Jaffer Khanpet, Ashok Nagar, Chennai - 86 measuring an extent of 750 sq.ft.

For Petitioner : Mr.C.B.Muralikrishnan

For Respondents : Mr.M.Mohamed Riyaz
Addl.Public Prosecutor

W E B C O P Y
O R D E R

This petition has been filed seeking for a direction to the respondent police to grant police protection to the petitioner.

2. It is seen from records that earlier the petitioner was a tenant under one Indrani Ammal and he is in possession and enjoyment of the property from 1990 onwards. The owner of the property, viz., Indrani Ammal, in the year 2005, executed a settlement deed in favour of one Nehru. The petitioner

continued to be a tenant under the said Nehru. Thereafter, there was inter se dispute between the said Indrani Ammal and Nehru, which resulted in filing of the suit in O.S.No.1317 of 2014 and that suit filed by the Indrani Ammal was dismissed.

3. Thereafter, the other legal heirs attempted to interfere with the possession of the petitioner and the petitioner has filed a suit in O.S.No.2498 of 2017 and the same is pending before the 6th Assistant, City Civil Court, Chennai.

4. The learned counsel for the petitioner would submit that the other side in order to put pressure on the petitioner, started engaging advocates who started coming to the shop in occupation of the petitioner and caused threat to the petitioner. The petitioner has given a complaint before the 3rd respondent seeking for police protection and the 3rd respondent has also issued a C.S.R. Number on 23.07.2018. According to the learned counsel for the petitioner, the threat by the advocates engaged by the other side continues and the respondent police are not taking any action. Therefore, this petition has been filed seeking for police protection.

5. In the facts and circumstances of the case, there shall be a direction to the 3rd respondent to call the concerned parties for an enquiry and if the 3rd respondent finds that the advocates are intervening in the pending dispute between the parties, appropriate instructions may be given to them, not to intervene and allow the parties to agitate their rights before the Court below, where the suit is pending. If in spite of the same, if there is intervention by persons calling themselves as advocates, the 3rd respondent shall take action in accordance with law.

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

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

ssr/kal

To

1. The Deputy Commissioner of Police,
Office of the Deputy Commissioner of Police,
Adyar Range, First Floor,
J Police Station, Adyar, Chennai - 600 020.

2. The Asst. Commissioner of Police,
Office of the Asst. Commissioner of Police,
First Floor, Police Station,
Saidapet, Chennai - 600 015.

3. The Inspector of Police,
R6 Kumaran Nagar Police Station,
Jaffer Khanpet, Saidapet,
Chennai - 600 056.

4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.B.Muralikrishnan, Advocate in sr.no.22228 (29/11/18)

Crl.O.P.No.27213 of 2018

CS/28/11/2018



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