

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 04.12.2018
CORAM:
THE HON'BLE MR.JUSTICE N.ANAND VENKATESH
CRL.O.P.No.28090 of 2018

Ramesh.R

... Petitioner

Vs.

State by

The Inspector of Police (L & O),
T-1, Ambattur O.T. Police Station,
Ambattur, Chennai 600 053.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the respondent herein to provide police protection to the petitioner herein for putting up fencing in his property situated at Anna Nedun Salai (Main Road), Oragadam, Ambattur, Chennai - 600 053.

For Petitioner : Mr. V.K.Rajagopalan
For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking for police protection to the petitioner for putting up fencing in his property.

2. The learned counsel for the petitioner would submit that the petitioner had purchased the property along with his sister by way of registered sale deed dated 01.03.2013. Thereafter, a survey was also conducted on 16.05.2018 by the Tahsildar of Ambattur and the boundary stones were also laid. When the petitioner attempted to put up fencing, one Natarajan and his family members have objected to the same. Therefore, the petitioner had given a complaint to the respondent police on 23.05.2018 and had sought for police protection to put up fencing in the property, since no action was taken by the respondent police, this petition has been filed seeking for police protection.

3. The relief has sought for by the petitioner cannot be granted by this Court. The petitioner is facing resistance from one Natarajan and he is not allowing the petitioner to put up fencing in the property. It is not known as to the nature of the dispute between the petitioner and the said Natarajan and the police is not the competent authority to decide on the

ownership and right over the property. In a case of this nature, the police should not interfere and the parties will have to agitate the rights only before the competent Civil Court. The petitioner can always get the relief before the Civil Court by seeking for appropriate relief.

4. This Criminal Original Petition is dismissed with liberty to the petitioner to work out his remedy before the competent Civil Court.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

lpp/vsa
To

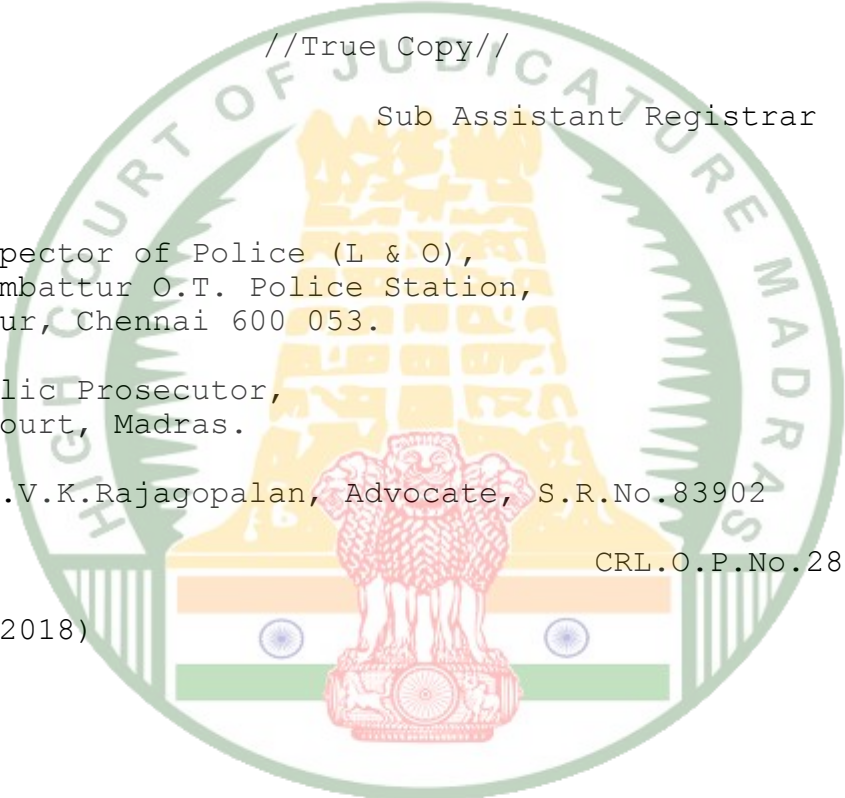
1. The Inspector of Police (L & O),
T-1, Ambattur O.T. Police Station,
Ambattur, Chennai 600 053.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.V.K.Rajagopalan, Advocate, S.R.No.83902

CRL.O.P.No.28090 of 2018

GSP(20/12/2018)

The seal of the High Court of Madras is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital on top. The gopuram is set against a green background with a white border. The words "HIGH COURT OF JUDICATURE MADRAS" are written in a circular path around the central image. Below the gopuram, the motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script. The entire seal is rendered in a light green color.

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