

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2018

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.No.28645 of 2018

K.Sekar Naidu

...Petitioner

Vs.

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

2. The Inspector of Police,
B6, Mappedu Police Station,
Keelachery Road,
Thiruvallur.

3. K.K.V.Seetharaman

...Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, praying to direct the 2nd respondent to provide adequate police protection based on the complaint dated 29.11.2018.

For Petitioner : Mr.J.Sudhakaran

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

ORDER

This Criminal Original Petition has been filed seeking for police protection.

2.The specific case of the petitioner is that the third respondent has attempted to interfere with the possession and enjoyment of the property. According to the petitioner, he is the absolute owner of the property and the third respondent has no right whatsoever in the property. In this regard, there is also a suit pending in O.S.No.129 of 2014, on the file of the District Munsif Court, Tiruvallur. The said suit has been filed seeking for the relief of permanent injunction against the third respondent and another person. In the said suit, an

Interlocutory Application in I.A.No.1389 of 2014 has been filed, seeking for interim injunction.

3. When the above suit is pending, this petition has been filed seeking for police protection. When the said suit is already pending between the parties, the police will have no right to interfere with the said dispute. The petitioner has to work out his remedy only in the said suit and get appropriate orders against the third respondent. The petitioner can also seek for police protection in the pending suit itself.

4. This Criminal Original Petition is disposed of by giving liberty to the petitioner to workout his remedy pending suit in O.S.No.129 of 2014.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Thiruvallur,
Thiruvallur District.
2. The Inspector of Police,
B6, Mappedu Police Station,
Keelachery Road,
Thiruvallur.
3. The Inspector of Police,
P-6, Police Station,
Kodungaiyur,
Chennai.

ssm(28/12/18)

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