

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.1354 of 2019

M.S.Ganesh

... Petitioner

Vs.

The State Rep. by

1. The Superintendent of Police
Vellore, Vellore District.
2. The Deputy Superintendent of Police
Tirupattur Range, Vellore District.
3. The Inspector of Police,
Tirupattur Town Police Station,
Vellore District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondents herein to provide necessary police protection for the life and safety of the Petitioner and further provide protection to the Petitioner for fencing his property and for performing other miscellaneous works in the property admeasuring to an extent of 4 acres comprised in Survey No.170/2 at Tirupattur Village and in Survey No.59 at Sur Pallipattu Village.

For Petitioner : Mr.A.Thiagarajan, Senior Counsel
for Mr.N.Baskaran

For Respondents : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

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This petition has been filed to direct the respondents herein to provide necessary police protection for the life and safety of the Petitioner and further provide protection to the Petitioner for fencing his property and for performing other miscellaneous works in the property admeasuring to an extent of 4 acres comprised in Survey No.170/2 at Tirupattur Village and in Survey No.59 at Sur Pallipattu Village.

2. The learned counsel for the petitioner would submit that the petitioner and another purchased a property in Survey No.59 at Sur Pallipattu Village, from one Arumugam, who had earlier obtained the property from one Mr.Ponnurangan and others through a settlement award by the arbitration since he had mortgaged the said property and thereafter failed to repay the amount. The petitioner is the bonafide purchaser and is in possession of the property. But, now though the petitioner purchased the property in EP proceedings and sale deed was executed in his favour, the said Ponnurangan and Arumugam have interfered with the possession of the petitioner, who is now trying to put up a construction in that property. In this regard, the petitioner filed a complaint on 29.12.2018 before the third respondent seeking police protection, for which C.S.R.No.416 of 2018 was issued. Thereafter on 30.12.2018 itself, the petitioner lodged a complaint before the first and second respondents, but action on the same has not yet been taken. Hence, he has filed this petition.

3. The Additional Public Prosecutor would submit that the representation dated 29.12.2018 of the petitioner was received by the third respondent and the same is pending in C.S.R.No.416 of 2018.

4. It is seen that the petitioner is the bonafide purchaser of the said property, and he has lodged a complaint that the vendor of the property is now interfering with his possession, and the same is pending in C.S.R.No.416 of 2018. In view of the same, this Court is inclined to allow this petition as such the third respondent is directed to enquire into the allegations made by the petitioner and in the event of finding out prima facie in respect of the complaint, is also directed to give police protection to the petitioner, if necessary.

5. With the above directions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS VI)

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Sub Assistant Registrar

pds/lok

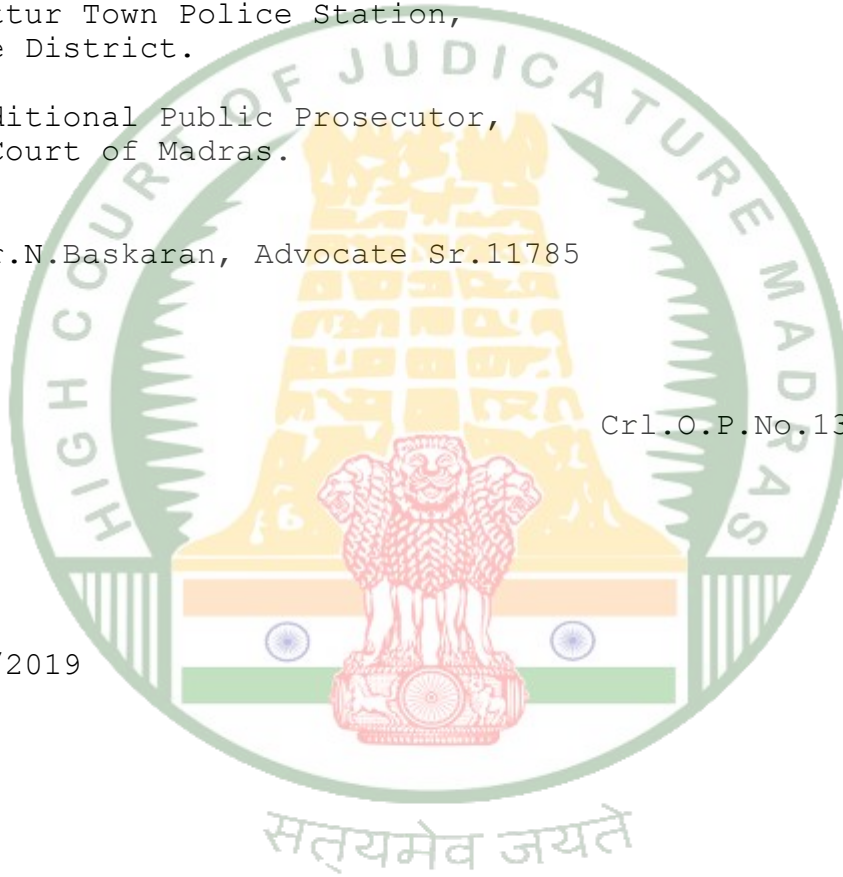
To

1. The Superintendent of Police
Vellore, Vellore District.
- 2.The Deputy Superintendent of Police
Tirupattur Range, Vellore District.
- 3.The Inspector of Police,
Tirupattur Town Police Station,
Vellore District.
4. The Additional Public Prosecutor,
High Court of Madras.

+1cc to Mr.N.Baskaran, Advocate Sr.11785

Cr1.O.P.No.1354 of 2019

srg 11/03/2019



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