

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.8996 of 2019

A.Paramasivam ... Petitioner/Complainant
Vs.

- 1.The Inspector of Police,
B-1, Tiruvallur Town Police Station,
Tiruvallur District.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Tiruvallur District.

3.M.Devadoss ... Respondents

Prayer :- Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 1st respondent to provide police protection to the petitioner and his family while fencing my property on the strength of this complaint dated 04.03.2019 in CSR.No.204 of 2019 on the file of the 1st respondent.

For Petitioner : Mr.R.John Sathyan

For Respondents: Mr.C.Raghavan
Government Advocate (Crl.side)

O R D E R

This petition has been filed seeking police protection to the petitioners to fence his property based on his complaint dated 04.03.2019 in CSR.No.204 of 2019.

2. It is seen from records that the petitioner's land was surveyed by the Tiruvallur Town Surveyor in the presence of Inspector of Police, Tiruvallur Town Police Station, and gave a report. While so, the 3rd respondent, who has no right over the property is said to have creating unnecessary trouble and obstructing him to fence his property. It is also seen that the 3rd respondent has filed a suit in O.S.No.438 of 2018, which is pending before the learned Principal Judge, Thiruvallur. The learned counsel for the petitioner submitted that in the suit filed by the respondent, the survey numbers mentioned in the schedule of properties does not match with the survey numbers of his property.

3. The learned counsel for the petitioners would submit that in this regard, he has filed two complaints which were taken by the police in CSR.Nos.566 of 2017 and 255 of 2018 respectively and the present petition has been received by the police in CSR.No.164 of 2019. Since no action have been taken by the 1st and 2nd respondents, the present petition has been filed with the aforesaid prayer.

4. Heard Mr.John Sathyan, learned Counsel for the petitioner and Mr.C.Raghavan, learned Government Advocate (Crl.side) for the respondent police.

5. In view of the above said facts and circumstances, without going into the merits of the case, the 1st respondent is directed to conduct enquiry on the complaint lodged by the petitioner on 04.03.2019 after giving opportunity of hearing to the counter part and pass orders on merits and in accordance with law, within a period of two weeks from the date of receipt of copy of this order.

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

Sd/-

Assistant Registrar(CS vi)

//True Copy//

Sub Assistant Registrar

rm

To

- 1.The Inspector of Police,
B-1, Tiruvallur Town Police Station,
Tiruvallur District.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Tiruvallur District.
- 3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.John Sathyan , Advocate SR.No.33232
(05/04/2019)

Crl.O.P.No.8996 of 2019

A.SK(04/04/2019)