

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.10590 of 2019

Janakiraman ... Petitioner/Defacto Complainant

Vs.

- 1.The Superintendent of Police,
Reddiyarpalayam,
Puducherry.
- 2.Station House Officer,
Reddiyarpalayam Police Station,
Reddiyarpalayam,
Puducherry 605 010. ... Respondents/Complainant

Prayer :- Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents to provide adequate police protection to the petitioner land to construct an iron fencing on the basis of representation made by the petitioner on 14.04.2019.

For Petitioner : Mr.K.Balu

For Respondents: Mr.Balamurugane
Government Advocate
Puducherry.

O R D E R

This petition has been filed seeking police protection to the petitioner to construct an iron fencing in his land on the basis of representation made by the petitioner on 14.04.2019.

2. It is seen from records that the petitioner's sister Mrs.Dhanalatchumi @ Rajaathinammal are the owners of the land in Re.Survey No.50/51, Patta No.124 to 10 Are 50 Sandhiyar total to an extent of 11,000 Sq.ft at No.38, Pondi Villyanur Main Road, Reddiyarpalayam, Puducherry, Kaatukottai. In this regard there was a dispute between one Labanour Govindasamy and his sister with the petitioner. Therefore, the petitioner filed a suit and the same was decreed in favour of the petitioner and her sister. Thereafter, Appeal suit, second appeal and writ appeals have been filed and all the three cases are pending. In the meantime,

the said Dhanalatchumi died and her husband also predeceased her. Therefore, the petitioner was in possession and enjoyment of the property. While so, some unknown persons threatened the petitioner for his peaceful enjoyment over the property.

3. The learned counsel for the petitioner would submit that a civil suit was decreed in favour of the petitioner, the unknown persons are threatening the petitioner from fencing his land. Therefore, the petitioner made a representation before the 2nd respondent police. 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.K.Balu, 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 2nd respondent is directed to conduct enquiry on the complaint lodged by the petitioner on 14.04.2019 after giving opportunity of hearing to the counter part and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of copy of this order.

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

s/d-
Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

To

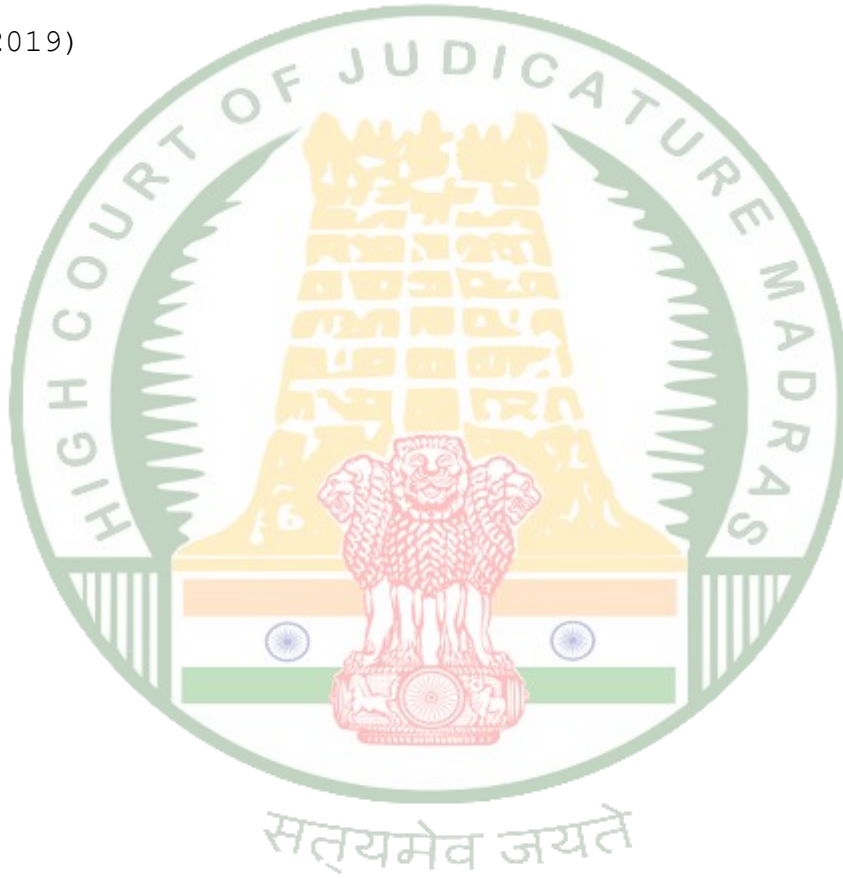
- 1.The Superintendent of Police,
Reddiyarpalayam,
Puducherry.
- 2.Station House Officer,
Reddiyarpalayam Police Station,
Reddiyarpalayam,
Puducherry 605 010.

3.The Public Prosecutor,
High Court, Madras.

+1 CC to Public Prosecutor(Pondy) sr 41426.
+1 CC to Mr.K.Balu, Advocate sr 40987.

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SVI (CO)
SP(30/04/2019)



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