

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.11212 of 2019

I.Fahim

... Petitioner

Vs

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

2.State rep. by
Inspector of Police,
Jolarpettai Police Station,
Jolarpettai.

3.R.Manoharan

4.R.Ramesh

5.Unnamalai Ammal

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the respondents 1 and 2 herein to grant an order of police protection for house construction and peaceful living of the petitioner in S.F.No.114/1 and 343 situated at Muthanur Village, Madura, Aathanavoor, Elagiri Hills, Thirupathur Taluk, Vellore District.

For Petitioner : Mr.K.Vijayasekar

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

ORDER

This Criminal Original Petition has been filed seeking for a direction respondents 1 and 2 to provide police protection for house construction and peaceful living of the petitioner.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondents.

3. The learned counsel for the petitioner would submit that the petitioner has already filed several suits and appeal before the Learned District Munsif, Thirupathur, Vellore District, for getting permanent injunction and the same was decreed in favour of the petitioner. Subsequent to the said order, the petitioner was in possession enjoyment of the said property. Eventhen the respondents 3 to 5 were causing disturbance for house construction without any right. Therefore, the petitioner lodged a complaint to the second respondent police against respondents 3 to 5. Since, no action has been taken by the second respondent police, the petitioner has filed the present petition with the aforesaid prayer.

4. The learned Government Advocate (Crl.Side) would submit that the the petitioner seeks police protection for his property.

5. Considering the facts and circumstances of the case, the petitioner is directed to lodge a complaint before the second respondent. On receipt of the same, the second respondent is directed to conduct enquiry after giving due opportunity to the petitioner and the respondents 3 to 5 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. Accordingly, this Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

vsn/mpa

To

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

2.The Inspector of Police, Jolarpettai Police Station,
Jolarpettai.

3.The Public Prosecutor,
High Court of Madras.

+1 cc to Mr.B.Kumarasamy, Advocate, Sr.No. 40308

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CSL/14.05.2019