

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 26.04.2019

CORAM
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.11220 of 2019

Mohammad Ali Jinna

... Petitioner

Vs

The Inspector of Police
Madipakkam Police Station, (L & O),
Madipakkam,
Chennai-22.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the respondent to consider the petitioner's representation dated 02.04.2019 and to give a police protection for life and liberty to the petitioner.

For Petitioner : Mr.T.Arul

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

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the the respondent to consider the petitioner's representation dated 02.04.2019.

2.It is seen from records the petitioner is the proprietor of Royal Promoters and doing the Real Estate and Construction business. The petitioner had a property in 15th Main road, Plot No.1519 A Ram Nagar, South Survey No.127, Old Patta No.13023 and Patta Survey No.127/31 A1B to an extent of 4800 Sq.ft and for the above land the petitioner got proper building approval from the CMDA authority. While the petitioner initiated to construct a building in the year 2018, one Narmatha and Ganesan filed a O.S.No.247 of 2017 before the Principal Sessions Judge at Chengalpattu and the said suit was pending. However, due to the pendency of the case, the petitioner could not construct any building till date.

3. The learned counsel for the petitioner would submit that inspite of the suit pending, the counter parts are continuously interfering the possession and enjoyment of the petitioner and they are causing threat to the petitioner and therefore, the petitioner gave a complaint to the respondent

police seeking for police protection. Since the same was not considered, this petition has been filed seeking for appropriate direction.

4. The learned Government Advocate (Crl.Side) would submit that the respondent police cannot give police protection in a case of this nature, since, admittedly, the suit is pending before the Court below.

5. Heard Mr.T.Arul learned Counsel for the petitioner and Mr.C.Raghavan learned Government Advocate (Crl.Side) for the respondent police.

6. Considering the facts and circumstances of the case, the respondent police is directed to conduct enquiry based on the petitioner's complaint dated 02.04.2019 after giving due opportunity to the counter parts 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.

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

Sd/-
Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar

mpa/vsn

To

1.The Principal Sessions Judge,
Chengalpattu.

2.The Inspector of Police
Madipakkam Police Station, (L & O),
Madipakkam,
Chennai-22.

3.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.T.Arul, Advocate, S.R.No.40546

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KK(CO)
RRS(08/07/2019)