

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.05.2019

CORAM:

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.12778 of 2019

E.Raju

... Petitioner

Vs.

1.The Inspector of Police,
Taluk Police Station,
Arni,
Thirunnamalai District.

2.The Superintendent of Police,
Office of the District Police,
Tiruvannamalai.

3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Arni,
Tiruvannamalai District.

4.A.G.Balakrishnan

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure seeking to direct the second respondent for providing necessary police protection to enforce the decree and judgment passed in O.S.No.1 of 2016 dated 14.11.2016 by the Sub Court, Arni.

For Petitioner : Mr.V.Pavel

For Respondents 1 to 3 : Mrs.M.Prabhavathi,
Additional Public Prosecutor

ORDER

This petition has been filed for a direction to the second respondent for providing police protection to the property of the petitioner.

2. The learned counsel for the petitioner submitted that the petitioner had filed Civil Suit against the fourth respondent seeking for relief of declaration and injunction with regard to the property in question. The Sub Court, Arni by judgment and decree dated 14.11.2016, decreed the suit in favour

of the petitioner. The learned counsel for the petitioner submitted that this decree has become final and no appeal has been filed against the same.

3. The learned counsel further submitted that in spite of the said decree in favour of the petitioner, the fourth respondent continues to disturb the petitioner from putting up construction in the property. In this regard, the petitioner made representations to the respondent police on 26.04.2019 and 02.05.2019 seeking for police protection. Since no action has been taken on the representations, the present petition has been filed before this Court seeking for appropriate directions.

4. Learned Additional Public Prosecutor submitted that the respondent police will take appropriate action after conducting enquiry.

5. Taking into consideration of the facts and circumstances of the case and also of the fact that the Civil Court Decree is in favour of the petitioner and it is claimed that no appeal has been filed against the same, the first respondent is directed to call the parties for an enquiry and direct the fourth respondent to workout his remedy in accordance with law and not to interfere with the property of the petitioner. In spite of the same, if there is any interference, the first respondent shall take action in accordance with law and if necessary shall also grant police protection.

6. The Criminal Original Petition is disposed of, accordingly.

s/d-

Assistant Registrar (VO)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Taluk Police Station,
Arni,
Thirunnamalai District.

2. The Superintendent of Police,
Office of the District Police,
Tiruvannamalai.

3. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Arni,
Tiruvannamalai District.

4.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.V.Pavel, Advocate sr 43546.

CrI.O.P.No.12778 of 2019

SSI(CO)
SP(16/05/2019)



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