

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 30.05.2019
CORAM :
THE HONOURABLE MR. JUSTICE M. NIRMAL KUMAR
Crl.O.P.No.13697 of 2019

K.Velayutham

... Petitioner

Vs.

1.The Commissioner of Police,
No.132, EVK Sampath Road,
Vepery, Chennai - 600 007.

2.State rep. by
The Inspector of Police,
K8 Arumbakkam Police Station,
Chennai - 600 106.

.... Respondents

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the 1st respondent herein to direct the 2nd respondent herein not to harass the petitioner and his family members based upon the petitioner's representation dated 16.05.2019.

For Petitioner : Mr.S.Kumara Devan

For Respondent : Mrs.S.Thankira
Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed to direct the 1st respondent herein to direct the 2nd respondent herein not to harass the petitioner and his family members based upon the petitioner's representation dated 16.05.2019.

2.According to the petitioner, the de facto complainant is trying to construct a compound wall in the undivided portion of land and with the help of the 2nd respondent, he has forcibly obtained a consent letter from the petitioner that the petitioner would use the common pathway only for one month.

3.The learned counsel for the petitioner submits that the car parking area belongs to the petitioner and in connection with the same, a civil dispute is already pending between the petitioner and the de facto complainant. The common pathway is the only means of ingress to and egress from his flats. The de facto complainant, suppressing all these facts, has given a complaint as though the petitioner is obstructing the passage of the de facto complainant and others and parking his vehicles.

According to the petitioner, the petitioner is parking his vehicles within the space allotted to him.

4.The learned Government Advocate (Crl. Side), appearing for the respondents, submits that a CSR is pending against the petitioner and he has been called for enquiry. However, without attending the enquiry, the petitioner has rushed to this Court and seeks the above said relief as though he has been harassed.

5.Heard the learned counsel for the petitioner and the learned Government Advocate.

6.Considering the facts and circumstances of the case, nothing survives in this Criminal Original Petition for consideration. The learned Government Advocate is directed to instruct the official respondents to issue written notice to the petitioner for his appearance, whenever he is needed for enquiry, if any.

7.With the above direction, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar/Vacation Officer

//True Copy//

Sub Assistant Registrar

To

1.The Commissioner of Police,
No.132, EVK Sampath Road,
Vepery, Chennai - 600 007.

2.The Inspector of Police,
K8 Arumbakkam Police Station,
Chennai - 600 106.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Kumara Devan, Advocate sr.44445

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nr 31/05/2019