

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 20.06.2019

CORAM
THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.14705 of 2019

1.Mr.N.Sukumaran Nair
2.K.Shyamala Kumari

... Petitioners

Vs.

1.State of Tamil Nadu, Rep by
The Inspector of Police,
G-5, Secretariat Colony Police Station,
Chennai - 600 010.

2.Mrs.R.Lalli
(2nd respondent is impleaded as per
Order in Crl.M.P.No.7847 of 2019 in
Crl.O.P.No.14705 of 2019 dated 19.06.2019)

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to directing the respondent police to give police protection to the petitioner's property bearing Door No.136, Old No.10/1, Kuttiappa Gramani Street, Kilpauk, Chennai - 600 010 and also take appropriate action against the miscreants.

For Petitioners : Mr.T.V.Vineeth Kumar

For Respondents : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

O R D E R
सत्यमेव जयते

This petition has been filed seeking for police protection.

2.It is seen from records that the petitioner had filed a Civil Suit against the counter party in O.S.No.4157 of 2012, seeking for the relief for permanent injunction. The said suit was decreed by judgment and decree dated 24.10.2018.

3.The learned counsel for the petitioner submitted that no appeal has been preferred against this judgment and in spite of the judgment of the Competent Civil Court, the second respondent along with hench men is causing threat to the petitioner and attempting to trespass into the property.

4.The learned counsel for the petitioner further submitted that the petitioner has given a representation dated 01.04.2019 to the respondent police seeking for police protection and since the same has not been acted upon, the present petition has been filed before this Court.

5.Heard the learned Additional Public Prosecutor appearing on behalf of the respondent police.

6.Taking into consideration, the facts and circumstances of the case, the first respondent is directed to call the parties for an enquiry and instruct the second respondent to workout her remedy in accordance with law and not to cause threat or interfere with the possession and enjoyment of the property of the petitioner. If in spite of such an advice, if the second respondent resorts to any threat, appropriate action shall be taken in accordance with law. If the first respondent police finds that any appeal has been filed against the judgment and decree in O.S.No.4157 of 2012, he shall relegate the parties to agitate their rights before the Appellate Court.

7.This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
G-5, Secretariat Colony Police Station,
Chennai - 600 010.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.T.V.Vineeth Kumar, Advocate, S.R.No.50991

NRJK(CO)

CrI.O.P.No.14705 of 2019

RRS (28/06/2019)