

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.Nos.16400 and 16402 of 2019

Crl.O.P.Nos.16400 of 2019

H.Mahendar Mehta, age 41 yrs,
Prop: 'Bindu Marbels & Granites;
New Door No.87, Melpatti Ponnappa
Mudali Street,
Perambur, Chennai - 600011.Petitioner

Vs.

1. The Deputy Commissioner of Police,
Pulianthope Police District,
Chennai - 600 039.
2. The Inspector of Police
K-1, Sembium Police Station,
Sembium, Chennai - 600 011.
- 3.Mrs.D.RevathiRespondents

Prayer in Crl.O.P.No.16400 of 2019. Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the 1st and 2nd respondents to provide police protection to the petitioner carrying on business at Door No.87, Melpatti Ponnappa Mudali Street, Perambur Chennai - 600 011.

Crl.O.P.No.16402 of 2019

Deepak RankaPetitioner

-Vs-

1. The Deputy Commissioner of Police,
Pulianthope,
Chennai - 600 012.

2. The Inspector of Police
K-1, Sembium Police Station,
Paper Mills Road, Bunder Garden,
Perambur,
Chennai - 600 011.

3. Mrs.D.Revathi

...Respondents

Prayer In Crl.O.P.No.16402 of 2019: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondents to provide police protection to him at Door No.87, Melpatti Ponnappa Mudali Street, Perambur Chennai - 600 011.

For Petitioner : Mr.R.Lakshmi Narasimhan
[In Crl.O.P.No,16400 of 2019]

For Petitioner : Mr.D.Kumaralingam
[In Crl.O.P.No.16402 of 2019]

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

C O M M O N O R D E R

These Criminal Original Petitions have been filed seeking for police protection to the petitioners.

2. It is seen from records that the petitioner in Crl.O.P.No.16400 of 2019 is the lessee of the property and the petitioner in Crl.O.P.No.16402 of 2019 is the present owner of the property. The 3rd respondent, who is one of the legal heir of the previous owner of the property, is now attempting to interfere with the enjoyment of the property of the petitioners and causing threat. It is also seen that already a suit is pending in O.S.No.6002 of 2018 before the VIIIth Assistant City Civil Court at Chennai and an order of injunction has been granted in favour of the petitioners.

3. The grievance of the petitioners is that inspite of the interim order passed in the suit, the 3rd respondent continues to cause threat to the petitioners and is disturbing the petitioner from doing his business in the property. The complaint has been given to the second respondent, which has been taken on file in CSR.No.816 of 2019.

4. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing on behalf of the respondents.

5. Taking into consideration the facts and circumstances of the cases, there shall be a direction to the second respondent to conduct an enquiry on the complaint and advise the parties to work out their remedy before the Competent Civil Court, where the suit is pending and all the parties shall be relegated to the Civil Court. The 2nd respondent shall instruct the parties not to cause any unnecessary disturbance and create law and order problem.

6. This Criminal Original Petition is disposed of with the above directions.

Sd/-
Assistant Registrar(Insp.cell)

//True copy//

Sub Assistant Registrar

rka/msrm

To

1. The Deputy Commissioner of Police,
Pulianthope Police District,
Chennai - 600 039.
2. The Inspector of Police
K-1, Sembium Police Station,
Sembium, Chennai - 600 011.
3. The Deputy Commissioner of Police,
Pulianthope,
Chennai - 600 012.
4. The Inspector of Police
K-1, Sembium Police Station,
Paper Mills Road, Bunder Garden,
Perambur,
Chennai - 600 011.
5. The Public Prosecutor, High Court, Madras

+2cc to Mr.RC.Paul kanagaraj, Advocate SR.No.52743

Cr1.O.P.Nos.16400 and 16402 of 2019

VBA (CO)
GMY (12/07/2019)