

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 08.07.2019

CORAM:
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.17758 of 2019

N.Babu

.. Petitioner

Vs.

1.The Superintendent of Police,
Villupuram District,
Villupuram.

2.The Inspector of Police,
Valavanur Police Station,
Valavanur,
Villupuram District.

3.Narayanan

.. Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to direct the respondent police to give protection to the petitioner for peaceful enjoyment of the property in Dry S.No.331 - 2 acres out of 5 acres situate at Naraiyur village, Villupuram taluk and for erecting a compound wall in the property.

For Petitioner : Mr.N.Suresh

For Respondents : Mr.M.Mohamed Riyaz (for R1 & R2)
Additional Public Prosecutor

ORDER

This petition has been filed seeking for police protection.

2.It is seen from the records that the petitioner had filed a suit in O.S.No.522 of 1996 before the District Munsif Court, Villupuram against one Velu Udaiyar and Paramasivam, who is the father of the 3rd respondent. The suit was decreed in favour of the petitioner on 14.08.2000. The decree was confirmed upto Second Appeal before this Court in S.A.No.262 of 2002. Thereafter the petitioner had filed E.P.No.92 of 2011 seeking for delivery of possession and the property was also delivered in favour of the petitioner by the Execution Court on 25.09.2014. It can be seen from the order of delivery of possession that the 3rd respondent is shown as the 4th respondent in the petition.

3.It is the grievance of the petitioner that inspite of the delivery ordered by the Execution Court, the 3rd respondent along with his henchmen are exerting threat on the petitioner and is preventing the petitioner from enjoying the property. Therefore, the petitioner gave a representation dated 24.06.2019 to the respondent police seeking for police protection. Since the same has not been acted upon, the present petition has been filed before this Court.

4.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent police.

5.Taking into consideration, the facts and circumstances of the case, there shall be a direction to the 2nd respondent to immediately call the parties and conduct an enquiry and instruct the 3rd respondent or any one claiming through him not to exert threat or interfere with the possession and enjoyment of the property. If inspite of the same there is any threat exerted or the possession is interfered, action shall be taken immediately in accordance with law. If necessary, police protection shall also be given to the petitioner.

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

Sd/-
Assistant Registrar (CS VII)

//True Copy//

Sub Assistant Registrar

vs/jas

To

1.The Superintendent of Police,
Villupuram District, Villupuram.

2.The Inspector of Police,
Valavanur Police Station,
Valavanur, Villupuram District.

3.The Public Prosecutor,
Madras High Court.

+1cc to Mr.N.Suresh, Advocate, S.R.No.57543

Cr1.O.P.No.17758 of 2019

BS (CO)
RRS (10/07/2019)