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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2019

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.17972 of 2019

Tmt.K.Inbha

.. Petitioner

Vs.

1. The State Rep. by
Inspector of Police,
T4 Maduravoyal Police Station,
Maduravoyal,
Chennai 600 095.

2. Thiru Krishnaraj

3. Tmt. Suganthi

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the respondent police to provide adequate police protection to the petitioner's life and property situated in Survey No.20/1B at Maduravoyal Village, bearing Door No.66/126, Perumal Koil Street to an extent of 975 Sq.ft. out of 1500 Sq.ft including 4 feet common passage from Perumal Koil Street on the basis of the representation given by the petitioner to the respondent on 22.06.2019 in accordance with law.

For Petitioner : Mr.N.Palanisamy

For Respondents : Mr.Mohammed Riyaz
Additional Public Prosecutor for R1

ORDER

This petition has been filed seeking for police protection.

2. It is seen from records that the petitioner has already filed a suit against the respondents 2 and 3 in O.S.No.47 of 2009 before the learned District Munsif Court at Poonamallee and a decree of permanent injunction has been passed in favour of the petitioner by judgment and decree dated



01.04.2010. The petitioner claims that this decree has become final and no appeal has been filed against the same. A statement to that effect has also been made in the affidavit.

3. According to the petitioner, inspite of the decree passed in her favour, the respondents 2 and 3 are causing threat and are interfering with the possession and enjoyment of the property. Therefore, a complaint was given before the 1st respondent police on 22.06.2019 seeking for police protection and since no action has been taken on the complaint, the present petition has been filed before this Court seeking for appropriate directions.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing on behalf of 1st respondent.

5. Taking into consideration the facts and circumstances of the case, there shall be a direction to the petitioner to give a fresh complaint along with a copy of this order to the 1st respondent and the 1st respondent on receipt of the complaint shall call the parties and make an enquiry. If the 1st respondent is satisfied that the respondents 2 and 3 have not filed any appeal against the decree passed against them, he shall instruct the respondents 2 and 3 not to interfere with the possession and enjoyment of the property and to seek their remedy only before the appropriate Civil Court. If the respondents 2 and 3 have filed any appeal and any civil proceedings are pending, the 1st respondent shall relegate the parties to agitate their rights before the Civil Court. The 1st respondent shall ensure that the respondents 2 and 3 do not exert any threat against the petitioner and shall also take appropriate action in accordance with law.

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

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar



To

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1. The nspector of Police,
T4 Maduravoyal Police Station,
Maduravoyal,
Chennai 600 095.
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Palanisamy, Advocate Sr.57524

Crl.O.P.No.17972 of 2019

ks[co]
srg 16/08/2019