

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2019  
CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

WP.No.21677 of 2019  
and  
WMP.Nos.20899 & 20900 of 2019

M/s.Hindustan petroleum Corporation Ltd.,  
Rep.by its Chief Regional Manager,  
Having Regional office at  
No.82, 2<sup>nd</sup> Floor, Petro Bhavan,  
Alwarpet, Chennai - 600 018. ...Petitioner

Versus

1.The Inspector of Police,  
T-10, Tirumullaivoyal IPS,  
Tirumullaivoyal, Chennai.

2.D.Meenakumari ...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, to direct the first respondent to investigate the complaints lodged by the petitioner on 21.06.2019 and 15.07.2019 against the second respondent and prosecute her for the offences committed by her and direct the first respondent to provide police protection to the retail outlet for carrying out the construction work and for smooth operation of the retail outlet.

For Petitioner : Mr.M.Vijayan  
for M/s.King and Partridge

For Respondents: Mr.C.Iyyapparaj,  
Additional Public Prosecutor  
for R1.  
: Mr.R.Asokan (for R2)

O R D E R

The limited prayer sought for in the present writ petition is to direct the first respondent to investigate the complaints lodged by the petitioner on 21.06.2019 and 15.07.2019 as against the second respondent herein and to take action on the second respondent herein. The petitioner had also sought a direction to the first respondent to provide police protection to the retail outlet of the petitioner.

2.The subject matter of the complaint revolves around the property, which, the petitioner herein claims to have purchased from Ambattur Oragadam Co-operative Building Society Limited and the complaint of the petitioner is that the second respondent is interfering with the ingress and egress of the petitioner into the said premises and disrupting the construction activity. In this regard, the petitioner filed a suit in O.S.No.164 of 2019 seeking permanent injunction and the same is pending.

3.Though the dispute with regard to the possession or title is pending before the Civil Court, any disruption caused in the property will give a right to the owner to lodge a Criminal complaint. In this background, the appropriate remedy would be to direct the first respondent, to consider the petitioner's complaints.

4.In the light of the above position, there shall be a direction to the first respondent herein to consider the petitioner's complaints dated 22.06.2019 and 15.07.2019 on its own merits and take further course of action in accordance with law as expeditiously as possible, in any event, within a period of two weeks from the date of receipt of a copy of this order.

5.With the above observations and direction, the Writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

klt

Sd/-  
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,  
T-10, Tirumullaivoyal IPS,  
Tirumullaivoyal, Chennai.

2.The Public Prosecutor,  
High Court of Madras, Chennai.

+1cc to M/s.King &Partridge, Advocate, SR.No.81354/19

+1cc to Mr.R.Asokan, Advocate, SR.No.81339/19

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Kak(01/11/2019)