

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 30.10.2019
CORAM
THE HONOURABLE MR. JUSTICE M.S. RAMESH
Crl.O.P.No.22504 of 2019

M/s.VGP Housing Private Limited
Rep. by its Director V.G.P Babudas,
VGP Square, No.6, Dharmaraja Koil Street,
Saidapet,
Chennai-600 015.

...Petitioner

Vs

1. The Inspector of Police,
J-12, Kanathur Police Station,
East Coast Road,
Kanathur
Chennai-603 112.
2. V.G.S Rajesh Alias Amaladas Rajesh
3. M/s.AR Aggregrates Private Limited
Rep. by its Director RABI NAVIS PIO
AM 65, 14th Main Road, Santhi Colony
Anna Nagar West
Chennai-600 040.
4. V.Arumugam

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the 1st respondent to provide police protection to the petitioner in respect of their property situate at Plot Nos.11 to 18 measuring about 36000 sq.ft. In VGP Golden Beach Uthandi Part-1, Uthandi Village of ECR Road in Old Survey No.2/92, 3/293, New Survey No.2/92A and 3/293A in approved layout LP(MM) No.27/1975.

For Petitioner : Mr.P.L.Narayanan

For Respondents: Mr.V.Saradha Devi for R1
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition is filed seeking for a direction the 1st respondent to provide police protection to the petitioner in respect of their property situate at Plot Nos.11 to 18 measuring about 36000 sq.ft. In VGP Golden Beach Uthandi Part-1, Uthandi Village of ECR Road in Old Survey No.2/92, 3/293, New Survey No.2/92A and 3/293A in approved layout LP(MM) No.27/1975.

2. The prayer sought for in the present petition is to direct the 1st respondent to provide police protection in respect of the property situated at Plot Nos.11 to 18 measuring about 36000 sq.ft. in VGP Golden Beach Uthandi Part-1, Uthandi Village of ECR Road in Old Survey No.2/92, 3/293, New Survey No.2/92A and 3/293A in approved layout LP(MM) No.27/1975. While the petitioner submits that the respondents 2 to 4 have encroached into the property, the learned counsel for the respondents 2 to 4 would submit that the property belongs to the 2nd respondent absolutely. In connection with the prayer sought for, the petitioner herein also claims to have given a complaint to the 1st respondent herein on 13.08.2019, and the said petition is pending. In the light of the mixed question of facts, I am of the view that if the 1st respondent is directed to consider the petitioner's complaint by conducting due enquiry and extending necessary opportunity to both the parties, the ends of justice could be secured.

3. In the light of the above, there shall be a direction to the 1st respondent to consider the petitioner's representation dated 13.08.2019, after giving due notice and opportunity to both the petitioner as well as the respondents 2 to 4 herein and then take further course of action, which shall be endeavored to be completed within a period of eight weeks from the date of receipt of a copy of this order. Both the parties are at liberty to furnish the copy of the complaints given by them as well as any documents which they would rely upon. It is made clear that this Court has not impressed any its views on the facts with regard to the merits of the claim over the property made by both the parties.

4. This Criminal Original Petition stands disposed of accordingly.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

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To

1. The Inspector of Police,
J-12, Kanathur Police Station,
East Coast Road,
Kanathur
Chennai-603 112.

2. The Public Prosecutor,
High Court of Madras.

+1 cc to Mr.P.Kumaresan Advocate sr 90049

Crl.O.P.No.22504 of 2019

ssd(co)
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