

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No. 21456 of 2017
and WMP. No. 22449 of 2017

A. Mohamed Mohideen

...Petitioner

-Vs-

1. The Commissioner,
The Corporation of Chennai
Rippon Building, EVR Periyar Slai,
Park Town, Chennai-600 003.
2. The Commissioner of Police,
Greater Chennai
E.V.K's Sampath Salai,
Vepery, Chennai.
3. The Assistant Commissioner of Police,
Nungambakkam,
Valluvarkottam High Road,
Chennai - 600 034.
4. The Inspector of Police,
(Law and Order)
F-3, Nungambakkam Police Station,
Valluvar Kottam High Road,
Nungambakkam, Chennai - 600 034.

5. Sudha

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 2 to 4 to provide adequate police protection to implement the order passed by the 1st respondent vide building plan no. BA/WDCN09/02346/2017 and planning permission No. PPA/WDCN09/07661/2016 dated 24.04.2017 in respect of petitioner's property situated in New Door No.5, Old No.3, Block No. 34 Plot No: Survey No. 803/1, Park Side Road (Corporation play ground street), Nungambakkam, Chennai- 34 by considering the petitioner's representation dated 04.07.2017.

For Petitioner :Mr. I. Abdul Basith

For Respondents:Mr.M.Mohamed Riyaz

Additional Public Prosecutor- R1 to R4
No Appearance - R5

ORDER

The petitioner has sought for direction to the respondents 2 to 4 to provide adequate police protection to implement the order passed by the 1st respondent vide building plan no. BA/WDCN09/02346/2017 in respect of petitioner's property by considering the petitioner's representation dated 04.07.2017.

2. Heard the learned counsel for the petitioner and learned Additional Public Prosecutor appearing for the respondents 1 to 4. No appearance on behalf of the 5th respondent.

3. On perusal of records, it is seen that there is property dispute between the petitioner and the 5th respondent herein. It is further seen that the petitioner had obtained an order from the 1st respondent herein for construction in his property situated in New Door No.5, Old No.3, Block No. 34 Plot No: Survey No. 803/1, Park Side Road (Corporation play ground street), Nungambakkam, Chennai- 34. But, the 5th respondent and her men with the help of the 4th respondent are obstructing the work at the petitioner's property site. In this regard, the petitioner had given representations to the respondents 2 to 4 in the year 2017.

4. Considering the facts and circumstance of the case and also submissions made the learned counsel for the petitioner that the construction at the said property is going on, the 4th respondent is restrained from harassing the petitioner in respect of the petitioner's construction.

5. The petitioner is at liberty to approach the concerned police official seeking police protection on fresh cause of action, if so advised.

With the above directions, this Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AD-IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner,
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(Law and Order)
F-3, Nungambakkam Police Station,
Valluvar Kottam High Road,
Nungambakkam, Chennai - 600 034.
 5. The Public Prosecutor,
High Court, Madras.
- +1 cc to M/s.I.Abdul Basith, Advocate, S.R.No.30821
- +1 cc to M/s.K.P.Gopalakrishnan, Advocate, S.R.No.31557

NRL (CO)
SSM(30/05/2019)

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