

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Cr1.O.P.No.1682 of 2020

A.D.Murugan

...Petitioner

-Vs-

1. The Commissioner of Police,
Commissioner Office,
Vepery,
Chennai - 600 007.

2. The Inspector of Police,
K3-Police Station,
Aminjikarai,
Chennai - 600 029.

... Respondents

Prayer:

Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondents to comply with the order in I.A.No.3&4 of 2019 in O.S.No.3116 of 2019 dated 20.06.2019 and 06.09.2019 on the file of the XVI Assistant Judge, City Civil Court, Chennai and consequently provide police protection to implement the said order.

For Petitioner : Mr.R.C.Paul Kanagaraj

For respondents: Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondent to comply with the order passed by the XVI Assistant Judge, City Civil Court, Chennai in I.A.No.3 & 4 of 2019 in O.S.No.3116 of 2019 dated 20.06.2019 and 06.09.2019 .

2. The learned counsel for the petitioner has submitted that the petitioner has filed a suit in O.S.No.3116 of 2019 on the

file of the XVI Assistant Judge, City Civil Court for the relief of permanent injunction against one Vasantha and also filed an application in I.A.No.3 of 2019 seeking interim injunction and in that application, the learned XVI Assistant Judge, City Civil Court, Chennai has granted interim injunction after hearing both sides, by an order dated 20.06.2019. He further submitted that since the said order was not obeyed by the respondent therein [K.Vasantha], the petitioner herein has filed another application in I.A.No.4 of 2019 on the file of the XVI Assistant Judge, City Civil Court, Chennai to direct the second respondent herein to give police protection to implement the order passed by the said Court in I.A.No.3 of 2019 dated 20.06.2019. He further submitted that the learned XVI Assistant Judge, City Civil Court, Chennai, after hearing bothsides, by the order dated 06.09.2019 has allowed the said petition. But, the second respondent has not complied with the said order. Hence, he requests to direct the second respondent to comply with the said order.

3. The learned Additional Public Prosecutor has fairly conceded that the second respondent has to obey the order of the Civil Court and hence he requests to pass suitable order.

4. Admittedly, the petitioner herein has obtained an interim injunction in I.A.No.3 of 2019 in O.S.No.3116 of 2019 on the file of the XVI Assistant Judge, City Civil Court, Chennai. Further, he also filed another application in I.A.No.4 of 2019 in O.S.No.3116 of 2019 before the same court seeking police protection by impleading the second respondent herein as one of the respondents. The learned XVI Assistant Judge, City Civil Court, Chennai after hearing both sides has allowed the said application by the order dated 06.09.2019 and therefore the second respondent is bound to comply the said order.

5. In the result, this Criminal Original Petition is allowed. The second respondent is directed to comply the order passed by the learned XVI Assistant Judge in I.A.No.4 of 2019 in O.S.No.3116 of 2019 dated 06.09.2019.

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Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1.The XVI Assistant Judge,
City Civil Court, Madras.

2. The Commissioner of Police,
Commissioner Office,
Vepery,
Chennai - 600 007.

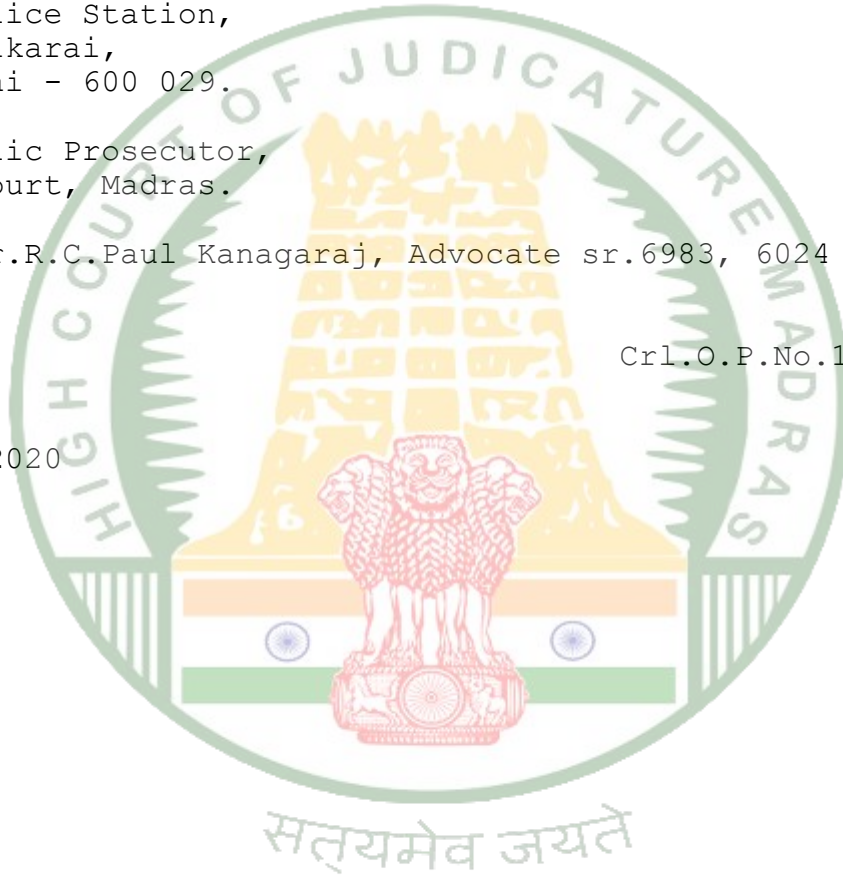
3. The Inspector of Police,
K3-Police Station,
Aminjikarai,
Chennai - 600 029.

4.The Public Prosecutor,
High Court, Madras.

+2cc to Mr.R.C.Paul Kanagaraj, Advocate sr.6983, 6024

Crl.O.P.No.1682 of 2020

sv(co)
nr 10/02/2020



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