

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.6103 of 2020

M.Vijayalakshmi

...Petitioner

Vs.

1. Inspector of Police, (Law & Order),
Adambakkam Police Station,
Adambakkam,
Chennai - 600 088.

2. B.P.Prasath

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the first respondent to give police protection while entering the property situated in Survey No.226/2 and 226/A in T.S.No.105(660 Sq.Mtrs.,) i.e. 7222 Sq.ft, in Ward No.F, Block No.8, Door No.13, Surendra Nagar 3rd Street, Adambakkam, Chennai - 600 088 to take over the possession from the second respondent in the interest of justice.

For Petitioner : Mr.R.Prem Narayan

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor for R1

ORDER

This petition has been filed for a direction to direct the first respondent to give police protection while entering the property situated in Survey Nos.226/2 and 226/A in T.S.No.105 (660 Sq.Mtrs.,) i.e. 7222 Sq.ft, in Ward No.F, Block No.8, Door No.13, Surendra Nagar 3rd Street, Adambakkam, Chennai - 600 088 to take over the possession from the second respondent in the interest of justice.

2. Heard R.Prem Narayan, learned Counsel for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the first respondent police.

3. It is seen that there is a Civil dispute pending between the petitioner and the second respondent in respect of the

property situated in Survey Nos.226/2 and 226/A in T.S.No.105 (660 Sq.Mtrs.,) i.e. 7222 Sq.ft, in Ward No.F, Block No.8, Door No.13, Surendra Nagar 3rd Street, Adambakkam, Chennai - 600 088. In this regard there was a suit in O.S.No.2480 of 1997 and the judgement and decree passed by the trial Court was also confirmed by this Court in S.A.No.284 of 2017 by the judgement and decree dated 31.07.2018. On the strength of the judgement and decree of this Court, the petitioner seeks police protection to enter into her property.

4. Considering the above facts and circumstances, the petitioner is directed to submit all the civil Court decree before the first respondent in respect of the disputed property. On the receipt of the same, the first respondent is directed to issue notice to the second respondent to conduct an enquiry, after giving an opportunity of hearing and pass reasoned orders on merits in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

5. With the above directions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kv

To

1. The Inspector of Police, (Law & Order),
Adambakkam Police Station,
Adambakkam,
Chennai - 600 088.

2. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.R.Prem Narayan, Advocate, S.R.No.23839

Cr1.O.P.No.6103 of 2020

VG II (CO)
KKV/24/07/2020