

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.29870 of 2019

Nihal Chand M/A 45 Yrs
S/o.Roop Chand Kothari,
No.23/29, Lawyer Chinna Thambi Street,
Kondithoppu,
Chennai - 600 079. ...Petitioner/Defacto Complainant

Vs

State Rep by its:-

1.The Deputy Superintendent of Police,
Ponneri,
Thiruvallur District.

2.The Inspector of Police,
E-5, Sholavaram Police Station,
Thiruvallur District.

3.Aliyamma
4.Nagabushanam
5.Thamayandhi
6.Vasuki
7.Amul @ Uma
8.Venkatesan
9.Munusami
10.Krishnaveni

...Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 2nd respondent to provide adequate police protection to the petitioner to construct the compound wall in his property.

For Petitioner: Mr.C.V.Kumar

For R1 & R2 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking for a direction to the second respondent police to provide necessary police protection to the petitioner to construct the

compound wall in his property.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.

3. The learned counsel for the petitioner would submit that the petitioner is the original owner of the property in Survey No.4/4 a total extent of land measuring is 0.42 cents and the petitioner's mother namely Rasal Kavar, had purchased the said property from one Mr.Arumugam, who is the respondent's father. The petitioner has obtained family settlement from her mother on 16.12.2011, vide Document No.14816 of 2011 on the file of Sub Registrar Office, Redhills and also patta No.4066 was stands in the name of the petitioner. Thereafter, the petitioner has started to construct the compound wall in his property. But the respondents 3 to 10 were causing disturbance without any right over the property. Therefore, the petitioner lodged a complaint before the second respondent police against the respondents 3 to 10. Since no action has been taken by the second respondent police. Hence, the petitioner has filed the present petition with the aforesaid prayer.

4. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that the petitioner seeks police protection for constructing the compound wall in his property.

5. Considering the facts and circumstances of the case, the second respondent police is directed to conduct enquiry based on the complaint lodged by the petitioner, after issuing notice to the respondent 3 to 10 and the counter parties and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. Accordingly, this Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

msrm

To

1.The Deputy Superintendent of Police,
Ponneri,
Thiruvallur District.

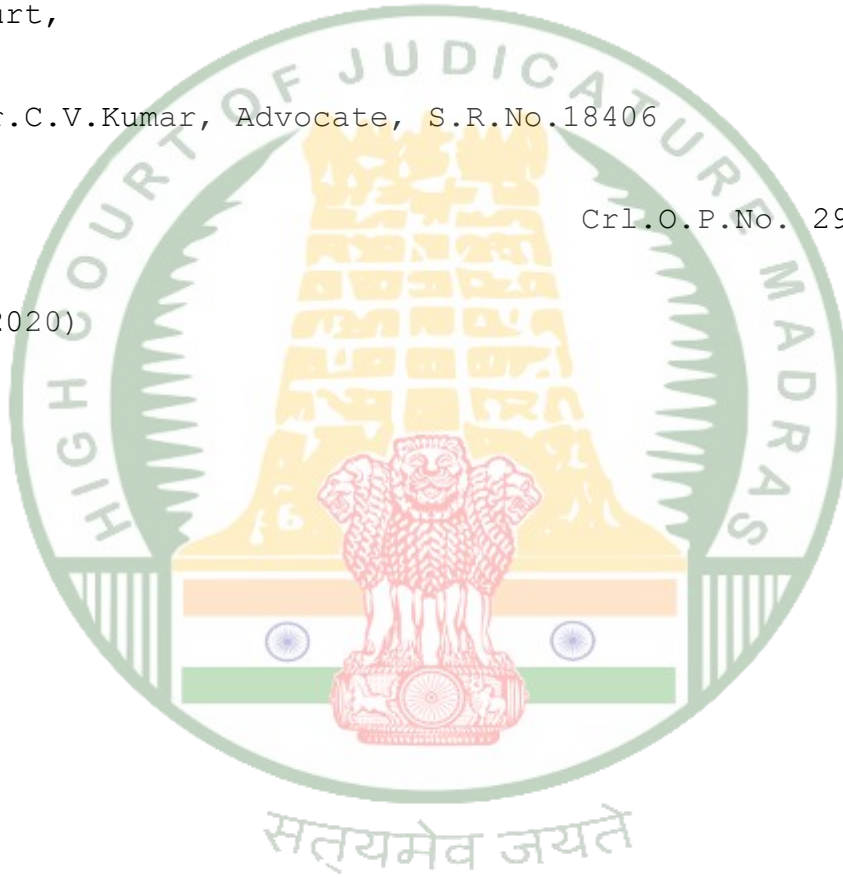
2.The Inspector of Police,
E-5, Sholavaram Police Station,
Thiruvallur District

3.The Public Prosecutor,
High Court,
Madras.

+1cc to Mr.C.V.Kumar, Advocate, S.R.No.18406

Crl.O.P.No. 29870 of 2019

RV(CO)
RN(28/05/2020)



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