

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2021

CORAM:

THE HONOURABLE **Mr. JUSTICE N. ANAND VENKATESH**

W.P.Nos.1485 and 1488 of 2021
and
WMP No.1679 of 2021

P.Padmanabhan

..Petitioner
in WP.No.1485/2021

Mangayarkarasi

..Petitioner
in W.P.No.1588 of 2021

-Vs-

1.State by

The Inspector of Police,
V-4, Rajamangalam Police Station,
Chennai.

2.Raghupathy Reddy

3.Malathy

..Respondents
in Both WPs

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Prayer in W.P.No.1485 of 2021 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to provide adequate police protection to the petitioner, his family member's life and to fence their property situated at No.65, Jayanthi Nagar, Kolathur, Chennai-99 immediately in connection with the complaint dated 25.12.2020 in CSR No.610 of 2020 dated 31.12.2020, on the file of the respondent Police.

Prayer in W.P.No.1488 of 2021 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to provide adequate police protection to the petitioner, his family member's life and to fence their property situated at T.S.No.92, Old S.No.7/1, Old Paimash No.749, Plot No.14A & 28, to an extent of 5678 Sq.ft situated at Jayanthi Nagar, Kolathur, Chennai-99 immediately in connection with the complaint dated 25.12.2020 in CSR No.610 of 2020 dated 31.12.2020, on the file of the respondent Police.

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For Petitioner : Mr.G.RM.Palaniappan
(Both WPs)

For Respondents: Mr.M.Mohamed Riyaz
(Both WPs) Additional Public Prosecutor
for R 1

COMMON ORDER

These writ petitions have been filed seeking for police protection to the petitioners and their family members and also to enable the petitioners to fence their properties pursuant to the complaint given to the respondent Police on 25.12.2020.

2.The case of the petitioners is that they have succeeded right through before the competent civil court against the private respondents who attempted to claim right over the subject property and also attempting to interfere with the possession and enjoyment of the same. The attempt made by others claiming under the private respondents also ended in favour of the petitioners. The petitioners in order to substantiate their claims, have filed all the judgments and decrees passed in the civil proceedings in the typed set of papers.

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3.The grievance of the petitioners is that when they attempted to fence their properties, the private respondents along with some other persons caused thread to the petitioners and did not permit them to put up the fencing around the property. The

entire incident has also been captured in the CCTV Camera that has been installed around the property. It is further contended that a complaint was given by the petitioners and the same has also been taken on file in CSR NO.610 of 2020. However, the respondent Police has not acted upon the complaint and the threat to the petitioners continued. Left with no other option, the present writ petitions have been filed before this Court seeking for Police Protection.

4.Heard Mr.G.RM.Palniappan, learned counsel for petitioners and MR.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing on behalf of the respondent Police.

5.Taking into consideration the facts and circumstances of the case and also the judgments and decrees passed by the competent civil courts, there shall be a direction to the respondent Police to immediately call the parties for an enquiry. The respondent Police shall direct the private respondents not to cause any threat to the petitioners and their

family members. They shall also be instructed not to interfere with the possession and enjoyment of the property of the petitioners and if at all they have any right, to work out the same in the manner known to law. If inspite of such instructions given by the respondent Police, any threat is exerted by the private respondents or any persons acting under them, action shall be taken immediately in accordance with law. If the situation so warrants, police protection shall also be given to the petitioners to fence their property. The petitioners are directed to make a fresh representation to the respondent Police along with all the relevant documents and also a copy of this order.

6. These writ petitions are disposed of accordingly with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

25.01.2021

Index: Yes / No

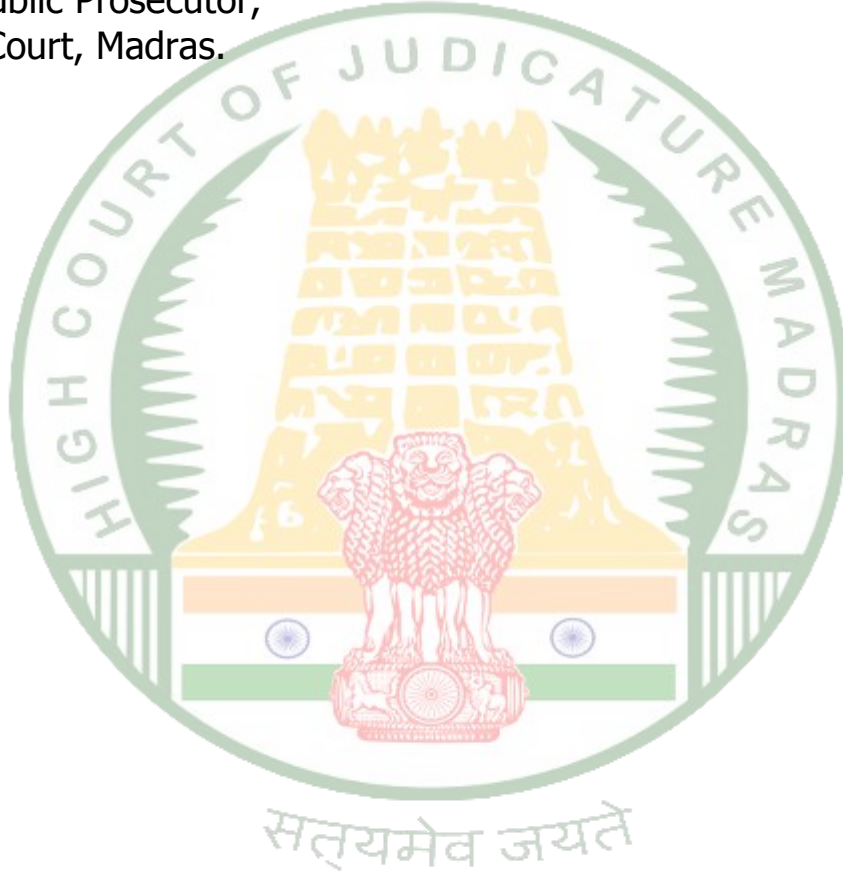
Internet : Yes /No

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CC

To

1. The Inspector of Police,
V-4, Rajamangalam Police Station,
Chennai.
2. The Public Prosecutor,
High Court, Madras.

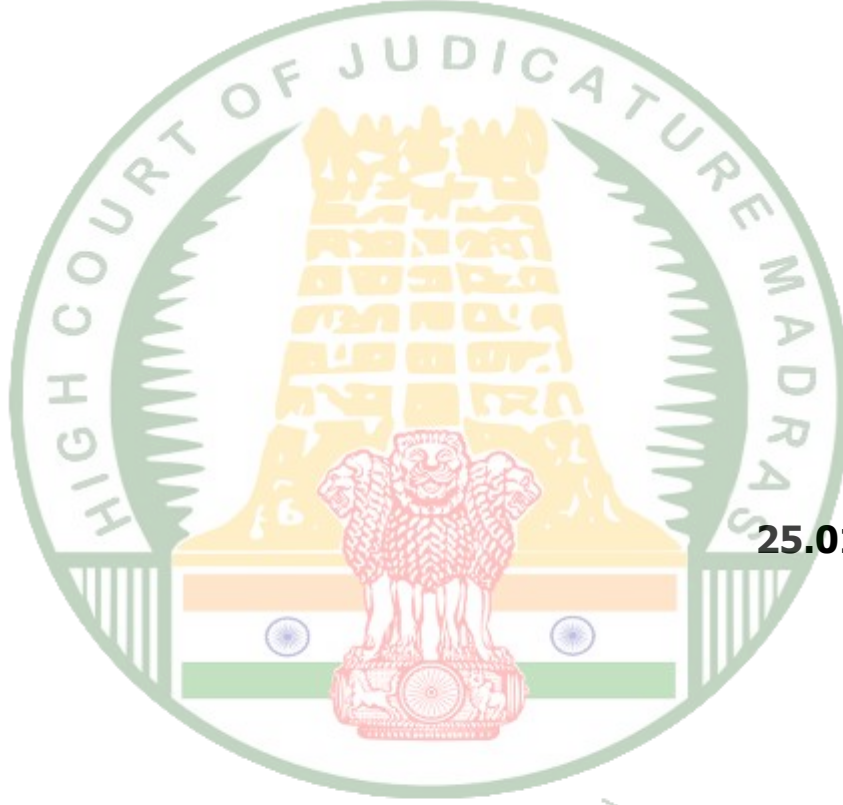


N. ANAND VENKATESH, J.

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W.P.Nos.1485 and 1488 of 2021



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