

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2021

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.6739 of 2021

P.M.Metal Finishers,
Rep. By its Proprietor,
Mr.Sasikumar,
S/o.Sundharam

... Petitioner

vs.

1. The Inspector of Police (law and Order),
T2, Ambattur Police Station,
Ambattur,
Chennai-600 085.

2. Madhavan,
S/o.Palayam

3. Saravanan,
S/o.Jayaraman

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st Respondent to give police protection for the petitioner business activities situated in P.No.89/18, No.5, Tass Industrial Estate, Ambattur, Chennai-600 053 till the disposal of the suit in O.S.No.212 of 2020 on the file of District Munsif Court, Ambattur.

For Petitioner : Ms.G.Nivedita

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

ORDER

This writ petition has been filed for a direction to the respondent police to grant police protection to the petitioner based on the complaint given by the petitioner on 03.03.2021.

2. Heard Ms.G.Nivedita, learned counsel for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor for the first respondent.

3. It is seen from the records that the petitioner has already initiated a civil suit against the private respondents in O.S.No.212 of 2020 before the District Munsif Court, Ambattur and the same is pending. The petitioner has sought for the relief of permanent injunction against the private respondents. In the said suit, the petitioner has also filed applications seeking for interim injunction. These applications are also pending. In the mean time, a complaint was given to the respondent police seeking for police protection. Since the same was not acted upon, the present writ petition has been filed before this court seeking for appropriate directions.

4. The petitioner has already resorted to civil proceedings against the private respondents and therefore, the petitioner will have to necessarily workout his remedy before the civil Court. Till appropriate orders are passed by the court below, the police cannot interfere with the civil dispute against the private respondents. Liberty is granted to the petitioner to workout his remedy before the civil Court and seek redressal for the grievances.

5.This writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The District Munsif Court,
Ambattur.

2. The Inspector of Police (law and Order),
T2, Ambattur Police Station,
Ambattur, Chennai-600 085.

3. The Public Prosecutor,
High Court, Madras.

+2cc to Ms.G.Nivedita, Advocate Sr.16556

W.P No.6739 of 2021

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srg 31/03/2021