



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.11497 of 2021

R.Anand

... Petitioner

.vs.

1.The Superintendent of Police,
District Police Office,
Nagapattinam District.

2.The Inspector of Police,
Kizhvelur Police Station,
Kizhvelur,
Nagapattinam District.

3.K.Rathinavelu

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Inspector of Police, Kizhvelur Police Station, Nagapattinam Taluk and District to provide adequate police protection based on the petitioner's representation dt.25.06.2021.

For Petitioner : Mr.S.Giritharan

For R1 & R 2 : Mr.A.Damodaran
Government Advocate
(Crl.Side)

ORDER

The petitioner seeks police protection on his representation dt.25.06.2021 no action taken, hence this petition.

2.It is seen that the 3rd respondent petitioner's father had filed Crl.OP.No.10313/2021, seeking exemption to appear before the RDO, Nagapattinam. Pursuant to the same, the 3rd respondent father of the petitioner had settled some of his



property to the petitioner on 26.12.2011. The petitioner being a physically challenged person, he had obtained a license for Petrol Bunk, and he is running the same.

3. The 3rd respondent had filed a petition before the RDO and seeking police protection and relief under Maintenance of Parents and Senior Citizens Act. Thereafter, the RDO on enquiry found that the contention of the 3rd respondent in his favour and set aside the settlement deed. The contention of the petitioner is that the petitioner had already challenged the same by filing a writ petition in W.P.No.12093 of 2021, which is pending before this Court. It is further submitted that taking advantage of the RDO order, the 3rd respondent and the petitioner's other brother Murugesan along with 20 others are causing disturbance, hindrance and threatening him from not to carry on with his Petrol Bunk business. Further they were also demanded money for settlement.

4. The learned Government Advocate (Crl.Side) submits that on receipt of complaint, the petitioner and the 3rd respondent were called for enquiry and the same is pending. He further submits that the 3rd respondent petitioner's father had settled the property in favour of the petitioner and the petitioner had not acted as per the settlement. Now, the settlement had been cancelled by the RDO and the same was challenged in W.P.No.12093 of 2021.

5. The learned Government Advocate further submits that both the petitioner and the 3rd respondent are giving disturbances against each other, for maintaining peace and harmony, prohibitory action has been taken by the RDO, by initiating proceedings under Section 107 of Cr.PC.

6. In view of the same, enquiry is being conducted by the 2nd respondent cannot be construed as a harassment. The petitioner is directed to appear before the 2nd respondent for two days to produce his materials and documents in his favour and thereafter, the 2nd respondent is directed to dispose of the petitioner's representation 25.06.2021, in accordance with law.

This petition is disposed of with the above direction.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar



KP

To

1. The Superintendent of Police,
District Police Office,
Nagapattinam District.
2. The Inspector of Police,
Kizhvelur Police Station,
Kizhvelur,
Nagapattinam District.
3. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.11497 of 2021

BS (CO)
SB(04/08/2021)