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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.12752 of 2021

Khader Ahmed

... Petitioner

Versus

1.The Superintendent of Police  
Thiruvallur District 602 001.

2.The Deputy Superintendent of Police  
Ponneri  
Ponneri Taluk  
Thiruvallur District 601 204.

3.The Inspector of Police  
Minjur  
Ponneri Taluk  
District-Thiruvallur 602 204.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the first and third respondents to provide police protection to the petitioners to facilitate removal of the illegal encroachments from the petitioner's wife, Asman Yasmin's Patta land bearing Survey No.525, Sub-division 3B2 & 4B (Plot No-A32), which was registered as sale deed in document Number-1920/1966 and registered at Thiruvottriyur, Sub-Registrar Office and consequently take penal actions by registering FIR against the encroachers in the above mentioned petitioner's patta land and thereby render justice.

For Petitioner : Mr.N.Suriya Muthu

For Respondents: Mr.A.Damodaran

Government Advocate (Crl.Side)

ORDER

This petition has been filed to direct the first and third respondents to provide police protection to the petitioners to facilitate the removal of illegal encroachments from the petitioner's wife, Asman Yasmin's Patta land bearing



Survey No.525, Sub-division 3B2 & 4B (Plot No-A32), which was registered as sale deed in document Number-1920/1966 at Thiruvottriyur, Sub-Registrar Office and consequently take penal actions by registering FIR against the encroachers in the above mentioned petitioner's patta land.

2. The petitioner and his wife Asman Yasmin were settled with the case property by her mother Ameena Rawoof. The petitioner's father-in-law Mr.Abdul Rawoof had purchased the said property in Survey No.525 Sub-division 3B2 & 4B (Plot No-A32) in Minjur, Vallur Village, Ponneri Taluk in the year 1966. The petitioner when visited the said property found that the property is encroached by one Revathy and Nagaraj. Hence, he filed this petition seeking removal of the illegal encroachment.

3. The learned Government Advocate (Crl.Side) has submitted that this case property was purchased by the petitioner's father-in-law in the year 1966 and the petitioner is residing in Teynampet, Chennai. Thereafter, one Revathy and Nagaraj have encroached upon three cents each and put up a construction and they are residing there. The petitioner's complaint has been assigned with CSR.No.573 of 2021 dated 25.03.2021 and enquiry has been conducted and it was found that the said Revathy and Nagaraj are encroachers. After confirming the complaint with the records, the First Information Report would be registered and the case will be investigated. However, for removal of encroachment, the petitioner has to approach the Civil Court.

4. In view of the same, nothing further survives for adjudication in this matter. Accordingly, this Criminal Original Petition is closed.

Sd/-  
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

dna

To

1.The Superintendent of Police  
Thiruvallur District 602 001.

2.The Deputy Superintendent of Police  
Ponneri  
Ponneri Taluk  
Thiruvallur District 601 204.



3.The Inspector of Police  
Minjur  
Ponneri Taluk  
District-Thiruvallur 602 204.

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4.The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.N.Suriyamuthu, Advocate, S.R.No.35481

CRL.O.P.No.12752 of 2021

VG-II (CO)  
CB(23/08/2021)