

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.01.2021

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Cr1.O.P.No.21111 of 2020

T.Suresh

.. Petitioner

Vs.

1. The Joint Commissioner of Police,
Tondiarpet,
Chennai - 600 016.

2. The Inspector of Police,
M-5, Ennore Police Station,
Chennai - 600 075

3. K.P.Sankar

4. K.P.Chokalingam

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to consider the petitioner's representation dated 17.12.2020 for direct the 2nd respondent herein to provide police protection for construction work.

For Petitioner : Mr.K.Rahul

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor for R1 & R2

सत्यमेव जयते
O R D E R

This petition has been filed seeking for police protection based on the representation made by the petitioner on 17.12.2020 to the 2nd respondent.

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

3.It is seen from records that the petitioner has already instituted a suit in O.S.No..44 of 2020 against the 3rd and 4th respondents before the District Munsif Court, Thiruvottiyur and the said suit is pending. In the mean time, the petitioner has given a representation to the 2nd respondent to provide him with

police protection on the ground that the 3rd and 4th respondents are interfering with the possession and enjoyment of the subject property.

4. In the considered view of this Court, this is a case involving a property dispute between the petitioner and respondents 3 and 4. If the petitioner wants to restrain the 3rd and 4th respondent from interfering with the possession and enjoyment of the property, he has to file an appropriate application before the same Court in which the suit is pending and seek for an interim injunction. The petitioner cannot parallelly seek for a police protection before the 2nd respondent. In a case of this nature, police will have no role to play and they cannot interfere in a civil dispute.

5. This Court does not find any ground to grant the relief as sought for by the petitioner and according this criminal original petition is dismissed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Joint Commissioner of Police,
Tondiarpet,
Chennai - 600 016.

2. The Inspector of Police,
M-5, Ennore Police
Station,
Chennai - 600 075

+1 cc to M/s.K.Rahul, Advocate Sr.No. 651

PA(CO)
RMP (03/02/2021)

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