



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.25196 of 2021

and

CrI.M.P.No.13933 of 2021

B.Nirmala

... Petitioner

Versus

1. The Inspector of Police
St.Thomas Mount Police Station
Alandur, Chennai.

2. Dominic Savior

3. D.Selvambigai

4. Prasathkumar

...Respondents

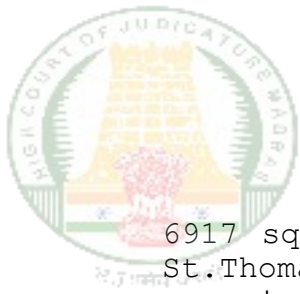
PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to issue a direction to the first respondent to give police protection on the petitioner's cost to construct a compound wall on in the petitioner's property comprised in R.S.No.195 of St Thomas Mount Village at Chennai measuring about 3591 Sq.ft vide Patta No.799 and G.L.R.S.No.256/660 for the rowdy elements in the Criminal Original Petition.

For Petitioner : Mr.B.Lenin Balu

For Respondents : Mr.Raj Thilak for R1
Additional Public Prosecutor

O R D E R

This petition has been filed to issue a direction to the first respondent to give police protection at the cost of the petitioner to construct a compound wall in her property comprised in R.S.No.195 of St Thomas Mount Village at Chennai measuring about 3591 Sq.ft vide Patta No.799 and G.L.R.S.No.256/660 against the rowdy elements.



2. The petitioner's father one Balakrishnan purchased 6917 sq.ft house and a vacant land at 7/30, East Chetty Street, St.Thomas Mount Patta from one Elaumalai Chettiyar and a patta was issued in favour of his father in Patta No.799. The petitioner's father settled the said property in favour of the petitioner and her sister. The respondents 2 to 4, who are the adjacent land owners, are attempting to encroach upon the property. When the petitioner tried to put up a compound wall, the same was restricted by them. Hence, the petitioner lodged a complaint. Since the second respondent is an Advocate, the respondent Police has not taken any action so far. Earlier the second respondent had assaulted the petitioner, for which a case in Crime No.319 of 2021 has been registered.

3. The learned Additional Public Prosecutor has submitted that there is animosity between the petitioner and the second respondent. The second respondent family entered into the property of the petitioner and causing disturbance, for which, the petitioner wanted to put a compound wall and the same has been resisted by the second respondent. On the complaint of the petitioner, CSR No.343 of 2021 has been assigned and the second respondent was directed to appear for enquiry, but he failed to appear.

4. At this stage, the learned counsel for the petitioner submitted that within a period of 10 days, the petitioner decided to construct compound wall. The petitioner is ready to appear before the respondent Police on 19.01.2022.

5. In view of the same, the respondent Police is directed to give police protection to the petitioner to complete the construction of the compound wall. It is made clear that if the second respondent cause any unlawful obstruction and restriction, the respondent Police shall use force.

6. With the above directions, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

dna/mdl



To

1. The Inspector of Police
St.Thomas Mount Police Station
Alandur, Chennai

2. The Public Prosecutor
High Court, Madras.

+lcc to Mr.B.Lenin Balu, Advocate, S.R.No.69688

Crl.O.P.No.25196 of 2021
and
Crl.M.P.No.13933 of 2021

RP[co]
NSK 23/12/2021