



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 02.03.2022
CORAM

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THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

W.P.No.6503 of 2021

Babu

... Petitioner

Vs.

1.State by

The Inspector of Police (Crime)
K-10, Koyambedu Police Station,
Chennai.

2.Varadhan

3.Muniammal

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to provide police protection based on the complaint given by the petitioner on 05.01.2020.

For Petitioner	: Mr.J.N.Naresh Kumar
For R1	: Mr.A.Gokulakrishnan Additional Public Prosecutor
For R2 and R3	: Mr.V.Balakrishnan

O R D E R

The writ petition has been filed for a Writ of Mandamus directing the 1st respondent to provide police protection based on the complaint given by the petitioner on 05.01.2020.

2.The learned counsel for the petitioner would submit that the petitioner is a tenant at No.8, Sakthi Nagar, 19th Street, Nerukundram, Chennai - 600107, for the past 20 years. The house owner's son Balakrishnan had given a complaint against him and a case was registered in Crime No.893 of 2019. The petitioner and his wife applied for Anticipatory Bail and the same was granted in CrI.O.P.Nos.27319 and 26388 of 2019 by this Hon'ble Court. In the situation, when the petitioner was away from his house, the respondents 2 and 3 have locked the house with the help of rowdy elements and they are preventing the petitioner from entering into the house. Because of the acts of the respondents 2 and 3, the petitioner is not able to enter into his house and he is unable to take the educational certificates and books



belonging to his daughter, who is studying in College. The petitioner had sent a representation seeking police protection and since the 1st respondent has not given any police protection, the petitioner has approached this Court.

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3. The learned Additional Public Prosecutor would submit that, if the petitioner appears in person, due enquiry would be conducted and thereafter, appropriate protection would be given to him, if necessary.

4. At this juncture, Mr. V. Balakrishnan, learned counsel appearing for the 2nd and 3rd respondents, would submit that the respondents deny the fact that they have locked the premises. The petitioner had borrowed loan from several persons in the locality by leasing out the property belonging to the respondents 2 and 3 to third parties and he is absconding. He would deny that the respondents 2 and 3 have locked the premises. He would further submit that, fearing the creditors, the petitioner is absconding. He would submit that the petitioner is in arrears of rent and to evade paying rent and settling debts has given this false complaint.

5. Heard the learned counsel on either side.

6. In view of the submissions above, the 1st respondent is directed to issue notice, fix a date and conduct enquiry on the complaint dated 05.01.2020 and take steps in accordance with law and dispose the same within a period of four weeks from the date of receipt of a copy of the order. With this direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mkn

To

1. The Inspector of Police (Crime)
K-10, Koyambedu Police Station, Chennai.

2. The Public Prosecutor, High Court, Madras.

+1 cc to Mr. J. N. Naresh Kumar, Advocate Sr. NO. 14096

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MG (CO)

A.SK(17/03/2022)