



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.7666 OF 2022

M.K.Periyasamy

... Petitioner

.Vs.

1. The Commissioner of Police,
Chennai Corporation,
Chennai.
2. The Deputy Commissioner of Police,
Adyar Range,
Chennai.
3. The Inspector of Police,
J-3, Guindy Police Station,
Chennai.
4. Elumalai, M/A.40 years,
S/o.Raman,
No.33/54, Parthasarathy Kovil 1st Street,
Ekkattuthangal,
Chennai - 32.

... Respondents

PRAYER:-

This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the 3rd respondent provide police protection to the Petitioner's family and his house situate at No.23, Parthasarathy Kovil 1st Street, Ekkattuthangal, Chennai forthwith.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.V.Meganathan
Government Advocate
(Criminal Side)



O R D E R

This Criminal Original Petition has been filed seeking for a direction to the 3rd respondent, to provide police protection to the Petitioner's family and his house situated at No.23, Parthasarathy Kovil 1st Street, Ekkatuthangal, Chennai forthwith.

2. Learned counsel for the Petitioner would submit that Petitioner is a tenant in respect of a portion situated at No.23, Parthasarathy Kovil 1st Street, Ekkatuthangal, Chennai 97. He has taken lease of the property from his owner Murugesan, who is also living nearby. Since the owner of the property attempted to evict the Petitioner, without following due process of law, the Petitioner approached the V Assistant City Civil Court, Chennai and the learned Judge by order dated 22.12.2005 in O.S.No.815 of 2005 has passed an order of permanent injunction restraining the owner from interfering with the Petitioner's peaceful possession and enjoyment of the portion under his occupation. The petitioner was living without any disturbance and regularly paying the rents. All of a sudden one Elumalai, who is a person under the owner of the property has created problem and has harassed the Petitioner. Though the Petitioner has given a complaint against them, no action has been taken, thereby the present Petition has been filed seeking for police protection.

3. Mr.V.Meganathan, learned Government Advocate (Crl. side) would submit that it is learned that the Petitioner is a tenant in respect of a portion situated at No.23, Parthasarathy Kovil 1st Street, Ekkatuthangal, Chennai and he has obtained an order from the V Assistant City Civil Court, Chennai in O.S.No.815 of 2005 dated 22.12.2005. He would further submit that the fourth respondent would be summoned and based on enquiry, necessary protection will be provided, if required.

4. Recording the submission, the 3rd Respondent is directed to conduct an enquiry and provide police protection, if necessary. Accordingly, this Petition is disposed of.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

shk/sai



To

1. The Commissioner of Police,
Chennai Corporation,
Chennai.
2. The Deputy Commissioner of Police,
Adyar Range,
Chennai.
3. The Inspector of Police,
J-3, Guindy Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.C.Prabakaran, Advocate, S.R.No.22647

CRL.O.P.NO.7666 OF 2022

GPL(CO)
PBS/21/04/2022