



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2022

CORAM:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.13049 of 2022
and
W.M.P.No.12461 of 2022

Rikkab Chand Jain

...Petitioner

Vs.

1.State by:

The Commissioner of Police
Avadi Police Commissioner
Avadi, Chennai

2.The Inspector of Police

E-5, Sholavaram Polic Station
Tiruvallur District

3.Ragul Narayanan

4.Divya

5.Savitha

6.Nisha

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st and 2nd respondents forthwith to provide adequate police protection to the petitioner and to protect the possession of the petitioner's above property comprised in Survey No.69/1A, 69/1B, 69/2B, 67/1, 64/1, 67/2 totally measuring 9.47 acres and other agricultural lands situated at Perungavoor I Village, Vichoor Village, Sholavaram Firka, Ponneri Taluk, Tiruvallur District.

For Petitioner : Mr.N.Nagu Sah

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor



ORDER

This petition is filed to direct the police to provide necessary protection to the petitioner's immovable properties and to protect the possession of the petitioner's properties comprised in Survey No.69/1A, 69/1B, 69/2B, 67/1, 64/1, 67/2 totally measuring 9.47 acres and other agricultural lands situated at Perungavoor I Village, Vichoor Village, Sholavaram Firka, Ponneri Taluk, Tiruvallur District.

2.Learned counsel for the petitioner submitted that he has purchased the properties from the year 1997 to 2014, however, the respondents 3 to 6 who have no right over the property are causing hindrance to enjoy the said properties. Therefore, he seeks police protection.

3.Per contra, the Learned Additional Public Prosecutor appearing for the respondents 1 and 2 has brought to the notice of the fact that Civil Suit is already filed by the respondents 3 to 6 seeking injunction against the present petitioner. He added that the affidavit filed by the 3rd party against whom the relief is sought for indicates there is a rival claim claim over the property on the basis of inheritance, there is a dispute over the title, thereby a blanket order of police protection cannot be granted.

4.Such view of the matter, this Court is of the view that if at all the petitioner is in the possession of the entire properties as alleged, it is for the petitioner to establish his title and possession before the Civil Court. Therefore, seeking police protection under the above said circumstances, cannot be granted.

5.In the result, the Writ Petition stands dismissed. Consequently, the connected miscellaneous petition is also dismissed. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar

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To

1.The Commissioner of Police
Avadi Police Commissioner
Avadi, Chennai



2.The Inspector of Police
E-5, Sholavaram Polic Station
Tiruvallur District

3.The Public Prosecutor
High Court of Madras
Chennai 600 104.

+1cc to Mr.N.Nagusah, Advocate Sr.No.33453

W.P.No.13049 of 2022

MT (CO)
RVM(21/06/2022)