



Crl.O.P.No.27343 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2022

CORAM:

THE HONOURABLE MS JUSTICE R.N.MANJULA

Crl.O.P.No.27343 of 2022

T.Divya

...Petitioner

Vs.

1. The Commissioner of Police,
Tambaram Police Commissionerate,
Tambaram.

2. The Inspector of Police,
H-2 Guduvancheri Police Station,
Guduvancheri Range,
G.S.T. Road,
Chengalpat District.

3. J.Venkatesan

...Respondents

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the respondents 1 to 2 to provide necessary police protection to the petitioner's Flats Flat No.GF1 in ground Floor (450 Square Feet) and Flat No.SF1(650 Square Feet) in the Second Floor, situated at No.3, Selliamman Koil Street, Kilamakkam Village, Urapakkam, Kattankulathur Panchayat, Chengalpat District land and house comprised in S.No.134B/2, part, New Survey No.215/15 and consequently direct them to take appropriate legal action against the 3rd respondent for his commission of crime locking the flats illegally and forbearing the 3rd respondent from interfered with the petitioner's peaceful possession.



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For Petitioner : Mr.G.Peranban

For Respondents 1 & 2 : Mr.S.Santhosh
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to direct the respondents 1 to 2 to provide necessary police protection to the petitioner's Flats No.GF1 in ground Floor (450 Square Feet) and Flat No.SF1(650 Square Feet) in the Second Floor, situated at No.3, Selliamman Koil Street, Kilamakkam Village, Urupakkam, Kattankulathur Panchayat, Chengalpat District land and house comprised in S.No.134B/2, part, New Survey No.215/15 and for a consequential direction to the respondents 1 and 2 to take appropriate legal action against the 3rd respondent and forbearing the 3rd respondent from interfering with the peaceful possession of the property by the petitioner.

2. The learned counsel for the petitioner would submit that she is the owner of the house and land situated in S.No.134B/2, part, New Survey No.215/15 to the extent of 2368 sq.ft. In the said said site, the petitioner had constructed two flats and she is in enjoyment of the same. However, the 3rd



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party by name Venkatesan had illegally interfered with the possession and enjoyment of the property. In this regard, the petitioner had already given a complaint and so far no action has been taken.

3. The learned Government Advocate (Crl. Side) appearing for the respondents would submit that on the very same allegation, the husband of the petitioner had already given a complaint in the year 2016 itself and based on which, enquiry had been conducted in CSR No.1440 of 2016 and the same was closed; the present complaint has also been taken on file in CSR No.1158 of 2021 and the same is pending.

4. In view of the above submissions made by both sides, the 2nd respondent Police is directed to complete enquiry in CSR No.1158 of 2021 as expeditiously as possible. Since the issue involved is Civil in nature, the petitioner is at liberty to workout appropriate remedy before Civil Court also.



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R.N.MANJULA,J.

vum

5. With the above observation, this Criminal Original Petition stands disposed of.

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vum

Index:yes/No

Speaking order / Non speaking order

To

1. The Superintendent of Police,
Thiruvannamalai District.
2. The Deputy Superintendent of Police,
Thiruvannamalai District.
3. The Inspector of Police,
Kilpennathur Police Station,
Thiruvannamalai District.
4. The Public Prosecutor,
Madras High Court,
Chennai.

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