



WP.No.30344 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.30344 of 2022

S. Prashanth

.. Petitioner

Vs

1. The Inspector of Police,
Manimangalam Police Station,
Tambaram Commissionerate,
Chennai 602 301.
2. Abdul Kalam,
President/Secretary,
Casagrand Miro Owners Association,
Vandalur-Walajabad Road,
Urapakkam Link Road
Mannivakkam, Vandalur Taluk,
Chengalpattu District.
3. Siva Prakash,
Vice-President,
Casagrand Miro Owners Association,
Vandalur-Walajabad Road,
Urapakkam Link Road
Mannivakkam, Vandalur Taluk,
Chengalpattu District.
4. Pradeep Anthony Raj,
Secretary,
Casagrand Miro Owners Association,
Vandalur-Walajabad Road,



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Urapakkam Link Road
Mannivakkam, Vandalur Taluk,
Chengalpattu District.

5. Suresh,
Joint Secretary,
Casagrand Miro Owners Association,
Vandalur-Walajabad Road,
Urapakkam Link Road
Mannivakkam, Vandalur Taluk,
Chengalpattu District.

6. Muthu,
Treasurer,
Casagrand Miro Owners Association,
Vandalur-Walajabad Road,
Urapakkam Link Road
Mannivakkam, Vandalur Taluk,
Chengalpattu District.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to provide police protection to the petitioner's house and family situated at Flat bearing No.K.201 in 2nd floor having Carpet area of 422 square feet together with 335 square feet of undivided share in CASAGRAN MIRO Apartment, situate at Vandalur-Walajabad Road, Urapakkam Link Road, Mannivakkam, Vandalur Taluk, Chengalpattu District enabling him to relocate his residence and to let the premises for rent based on the petitioner's representation dated 31.10.2022 forthwith.



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For Petitioner : Mr. C. Prabakaran

For Respondents : Mr. S. Santhosh,
Govt. Advocate (crl.side)

ORDER

This writ petition has been filed in the nature of Mandamus to direct the 1st respondent to provide police protection to the petitioner's house and his family based on his representation dated 31.10.2022.

2. The learned counsel appearing for the petitioner would submit that the petitioner is the owner of the Flat bearing No.K.201 in CASAGRAND MIRO Apartment situate at Mannivakkam, Vandalur, Chengalpattu and the respondents 2 to 6 are the office bearers of the Casagrand Miro Owners Welfare Association. On account of disputes that arose between the petitioner and the respondents 2 to 6, regarding improper administration of the Association, already a suit was pending between them in O.S.No.189 of 2022 before the District Munsif Court, Chengalpattu. While being so, as the petitioner secured a job in Bangalore, he decided to shift his residence from Chennai to Bangalore and let his Flat for rent. In the meantime, the private respondents brought the concept of obtaining No Objection Certificate from



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the said Association for renting or vacating inside the apartments and based on which, they have been objecting illegally to vacate the petitioner's own house and also causing hindrance for letting out his premises for rent.

3. It is the grievance of the petitioner that he is in urgent need of shifting his residence from Chennai to Bangalore on account of his profession, but due to the threat exerted by the private respondents and wrongful restraint, he is unable to shift his residence peacefully. Having regard to the same, he has also sent a representation to the 1st respondent, however, no action has been taken by the 1st respondent. Hence he has come forward with this writ petition seeking police protection for peaceful shifting of his residence from the said apartment and also to let his premises for rent.

4. When the matter was taken up for hearing, the learned Govt. Advocate (crl.side) appearing for the 1st respondent submitted that the representation given by the petitioner dated 31.10.2022 is pending with them and the 1st respondent shall consider and pass orders on the same within the time limit fixed by this Court.



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5. Recording the submission of the learned Govt. Advocate (crl.side), the 1st respondent is directed to consider the representation of the petitioner dated 31.10.2022 and take suitable action upon the same on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition stands disposed of. No costs.

16.11.2022

Index : Yes / No

Internet : Yes/ No

msr

To

The Inspector of Police,
Manimangalam Police Station,
Tambaram Commissionerate,
Chennai 602 301.

Note : Issue copy on 17.11.2022



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V. SIVAGNANAM, J.

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