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Crl.OP.No.3884 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.3884 of 2023

S.P.Raju

... Petitioner

Vs.

1. The Commissioner of Police,
Office of the Tambaram Commissioner of Police,
Tambaram, Chennai – 600 045.

2. The Assistant Commissioner of Police,
Office of the Tambaram Commissioner of Police,
Tambaram. Chennai – 600 073.

3. The State rep. By its
The Inspector of Police,
S-15, Selaiyur Police Station,
Chennai – 600 059.

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent police to direct the Respondents to consider the petitioner's representation dated 10.02.2023 and consequently direct the respondents to give police protection for petitioner to evict the encroacher in the pursuant of Na.Ka.No.2742/2022/a dated 06.02.2023 on the file of the Revenue Divisional Officer, Tambaram.



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For Petitioner

: Mr.S.Balaraman

For Respondents

: Mr.S.Santhosh

Government Advocate(Crl.side)

ORDER

This Criminal Original Petition has been filed to direct the Respondents to consider the petitioner's representation dated 10.02.2023 and consequently direct the respondents to give police protection for petitioner to evict the encroacher in the pursuant of Na.Ka.No.2742/2022/a dated 06.02.2023 on the file of the Revenue Divisional Officer, Tambaram.

2. The learned counsel for the petitioner submitted that one B.Murugan is in illegal occupation of the property bearing Flat No.20, F3, Kalaingnar Karunanidhi Street, 1st main road, santhosapuram, chennai. He further submitted that RDO conducted enquiry on the basis of the complaint given by the petitioner and forwarded the report. It is stated in the RDO report that one B.Murugan is residing in the above said property without any rent agreement. Therefore, petitioner gave a representation dated 10.02.2023 to the respondents seeking police protection for the petitioner, however, till now, representation was not considered, necessitating the filing of this petition.



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3. The learned Government Advocate (Crl. Side) submitted that based on the representation dated 10.02.2023, current paper enquiry is pending in C.No.02/Ins-TR/AC-SCR/2023 is pending.

4. In the light of the prayer sought for in this petition, this Court is of the view that police protection for petitioner to evict the encroacher in the pursuant of Na.Ka.No.2742/2022/a dated 06.02.2023 on the file of the Revenue Divisional Officer, Tambaram cannot be considered for the reason that petitioner has to only approach the civil Court for appropriate relief.

5. Accordingly, this Criminal Original Petition is dismissed. However, liberty is granted to the petitioner to approach the Civil Court for appropriate relief.

22.02.2023

Internet : Yes / No
Index : Yes / No
Speaking / Non Speaking order
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G.CHANDRASEKHARAN,J.

Sma

To

1. The Commissioner of Police,
Office of the Tambaram Commissioner of Police,
Tambaram, Chennai – 600 045.
2. The Assistant Commissioner of Police,
Office of the Tambaram Commissioner of Police,
Tambaram. Chennai – 600 073.
3. The State rep. By its
The Inspector of Police,
S-15, Selaiyur Police Station,
Chennai – 600 059.
4. The Public Prosecutor,
High Court of Madras, Chennai.

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22.02.2023