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CrI.O.P.No.8009 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.No.8009 of 2023

M.Sarathamani

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Tiruppur District.

2.The Inspector of Police,
Perumanallur Police Station,
Tiruppur - 641 654.

3.S.Mahendran

4.M.Thulasimani

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code to direct the respondents to consider the petitioner's representation dated 27.02.2023 and to direct the second respondent herein to give appropriate and necessary police protection to the petitioner property pursuant to the decree passed in O.S.No.145 of 2019 dated 31.10.2022 on the file of the Sub Court, Avinashi.

For Petitioner : Mr.K.Kathiresan



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

ORDER

This Criminal Original Petition has been filed to direct the respondent police to consider the petitioner's representation dated 27.02.2023 and to direct the second respondent herein to give appropriate and necessary police protection to the petitioner's property pursuant to the decree passed in O.S.No.145 of 2019 dated 31.10.2022 on the file of the Sub Court, Avinashi.

2. The learned counsel for the petitioner submitted that the learned Sub Court, Avinashi has passed an order in O.S.No.145 of 2019 dated 31.10.2023, granting permanent injunction to the petitioner and ordered the recovery of possession of the suit scheduled property from the 3rd and 4th respondents. Eventhough the order of recovery of possession had been passed, the 3rd and 4th respondent has failed to obey the order of the Sub Court, Avinashi. On 27.02.2023, the petitioner has made a representation to the 1st respondent to give adequate police protection to the petitioner to



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enter the possession of the above said property and to vacate the 3rd respondent from the possession and the same has been forwarded to the 2nd respondent police. On 04.03.2023, the petitioner gave a complaint before the second respondent seeking for police protection. Even after sending the representations, there were no steps taken by the 1st and 2nd respondent police to provide protection to the petitioner. Hence, the petitioner has filed this petition.

3.The learned Government Advocate (crl.side) appearing for the respondent police would submit that enquiry is pending in C.No.29/Current/A3 PS/2023 dated 10.03.2023 on the file of the respondent police.

4. Considering the allegations made in the complaint and the facts and circumstances of this case, this Court directs the respondent police to consider the petitioner's representation dated 27.02.2023 and pass appropriate orders.



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

12.04.2023

Index : Yes/No
Internet: Yes/No
Neutral Citation Case: Yes/No
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To

1.The Superintendent of Police,
Office of the Superintendent of Police,
Tiruppur District.

2.The Inspector of Police,
Perumanallur Police Station,
Tiruppur - 641 654.

3. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN, J.

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