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Crl.O.P.No. 10087 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.05.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No. 10087 of 2023

N.Harish Kumar

... Petitioner

Vs.

1.The State represented by,
The Commissioner of Police,
Office of the Commissionerate,
No.132, EVK Sampath Road,
Chennai.

2.The Inspector of Police,
Shankar Nagar Police Station,
Pammal, Chennai.

3.M.Ranganathan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent herein to provide proper police protection for the petitioner based on the petitioner's representation dated 28.04.2023.

For Petitioner : Mr.J.Jayan

For Respondents : Mr.S.Santhosh
Government Advocate (Crl.Side)
For R1 and R2



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ORDER

This Criminal Original Petition has been filed to direct the second respondent police to provide police protection to the petitioner based on the petitioner's representation dated 28.04.2023.

2. The learned counsel for the petitioner would submit that the petitioner and the third respondent had entered into rental agreement during the year 2017, for which, the petitioner had paid an advance amount of Rs.1,50,000/- on a monthly rental of a sum of Rs.12,000/-. He would further submit that the said subject property was properly maintained by the petitioner without any damage. Thereafter, as the agreement was misplaced, for further continuance, the petitioner and the 3rd respondent entered into another agreement during the year 2019, and the same was also strictly followed by the petitioner without any breach of terms and conditions. While being so, the petitioner after knowing the commencement of New Rental Act, insisted the 3rd respondent for registration of tenancy agreement and the same was not properly responded by the third respondent. Further, the petitioner issued legal



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notice to the third respondent to register the tenancy agreement by following the due process of law and after receiving the reply notice, he was shocked to see that an allegation has been made as if he has not paid the rental arrears. In the meantime, after receiving the legal notice, the third respondent had trespassed into the premises and disconnected the electricity connection without the knowledge of the petitioner and when the same was questioned by the petitioner, the advocate of the third respondent represented that as per the Court order they are going to hand over the meter to the Court but the alleged Court order was not shown by the third respondent to the petitioner. Hence, the petitioner has submitted a representation on 28.04.2023, before the second respondent police seeking police protection for him and also for his family members.

3. The learned Government Advocate (Crl.Side) submitted that the complaint lodged by the petitioner is pending on the file of the second respondent police.



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4. Considering the above facts and circumstances of the case, the second respondent is directed to issue notice to the petitioner and the third respondent and after giving an opportunity of hearing conduct enquiry and dispose of the representation of the petitioner within a period of four weeks from the date of receipt of a copy of this order.

5. Therefore, this Criminal Original Petition is disposed of.

04.05.2023

Internet: Yes

Index: Yes/No

Speaking/Non-speaking order

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To

1. The Commissioner of Police,
Office of the Commissionerate,
No.132, EVK Sampath Road,
Chennai.

2. The Inspector of Police,
Shankar Nagar Police Station,
Pammal, Chennai.

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