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Criminal Original Petition No.15306 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.15306 of 2023

K.Munusamy
S/o.Karisan

...Petitioner

Vs

1.The Commissioner of Police,
Avadi Commissionerate,
Avadi, Chennai – 600 054.

2.The Inspector of Police,
T-3 Police Station,
Korattur, Chennai – 600 080.

3.Thiru.E.Varadhan,
S/o.Late.Ettiyan.

4.Tmt.V.Thilagavathy,
W/o.E.Varadhan.

5.Thiru.S.Annamalai

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to provide adequate police protection to the petitioner's life, property for fencing the property situated at Plot No.26, Vanasakthi Nagar Extension, Korattur Village, Ambattur Taluk, Chennai District in Survey No.21/3, Vanasakthi Nagar Extension, Korattur



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Village, Ambattur Taluk, Chennai District to an extent of 1813 sq.ft. of vacant land based on the Judgment and Decree in O.S.No.443/2013 dated 23.03.2023 passed by the learned District Munsif at Ambattur.

For Petitioner : Mr.B.Gopalakrishnan

For Respondents : Mr.A.Damodaran,
Additional Public Prosecutor [R1 & R2]

ORDER

This petition has been filed seeking for police protection based on the civil Court decree passed in favour of the petitioner in O.S.No.443 of 2013, dated 23.03.2023 by the learned District Munsif, Ambattur.

2. Heard Mr.B.Gopalakrishnan, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondents 1 and 2.

3. In the considered view of this Court, there is a decree passed by a competent civil Court in favour of the petitioner in O.S.No.443 of 2013, dated 23.03.2023. By virtue of this decree, permanent injunction has been passed in favour of the petitioner restraining the private respondents from interfering with the possession and enjoyment of the property. In view of



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the same, if at all the private respondents are aggrieved by the judgment and decree, they have to necessarily work out their remedy before the competent civil Court by filing an appeal and they cannot be allowed to disregard the decree of permanent injunction passed in favour of the petitioner.

4. The respondent police shall call the parties and inform that the parties will have to work out their remedy only before the competent civil Court and that the private respondents cannot take law into their hands. In spite of such warning, if the private respondents indulge in law and order problem, action shall be taken against them in accordance with law.

This Criminal Original Petition is disposed of with the above direction.

10.07.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
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N.ANAND VENKATESH, J

gm

To

- 1.The Commissioner of Police,
Avadi Commissionerate,
Avadi, Chennai – 600 054.
- 2.The Inspector of Police,
T-3 Police Station,
Korattur, Chennai – 600 080.
- 3.The Public Prosecutor,
High Court, Madras.

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