



W.P.No.29051 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2023

CORAM:

THE HON'BLE DR.JUSTICE G. JAYACHANDRAN

W.P.No.29051 of 2023

Umar Farook

...Petitioner

Vs.

1. Commissioner of Police, Tambaram,
Tambaram Commissionerate,
No.42, Medavakkam Road, Bharathi Nagar,
Shollinganallur, Chennai – 600 119.
2. The Deputy Commissioner of Police, Tambaram,
Tambaram Commissionerate.
No.42, Medavakkam Road, Bharathi Nagar,
Shollinganallur, Chennai – 600 119.
3. The Assistant Commissioner of Police, Manimangalam,
C3 Police Station Manimangalam,
Chennai – 602 301.
4. The Inspector of Police, Somangalam,
T-11, Police Station, Poonthandalam,
Chennai – 602 109.
5. Raghava Reddy
6. Saravana Kumari



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7. Shanthi

8. R.Gopi

9. S.Purusothaman

10. B.Devi

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking for a writ of Mandamus direction to 1st and 4th respondents to provide Police Protection restraining the Defendants from disturbing the petitioner's peaceful possession without evicting us through due process of law.

For petitioner : Ms.Preethi Basker

For RR 1 to 4 : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)

ORDER

This writ petition has been filed seeking a writ of mandamus directing the respondents 1 to 4 to provide police protection restraining the respondents 5 to 10 from disturbing the petitioner's peaceful possession without evicting him through due process of law.



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A serious allegation is made against the petitioner for attempting to grab the land of Gopi and Purushothaman, respondents 8 and 9 herein, by creating fake documents.

3. In this case, the petitioner has approached the Civil Court and got an order of ad interim injunction and later, it has been vacated after perusal of documents filed by the private respondents. The complaint for trespass and attempt to grab the land is made in CSR No.267 of 2023. When the petitioner is called for enquiry, to avoid facing enquiry, the petitioner is before this Court with this writ petition seeking police protection.

4. This Court is unable to invoke Section 482, Cr.P.C. as the police cannot be directed to give protection to the wrong doers and trespassers. If any cognizance offence is made on the complaint, it is the duty of the police to investigate and secure the perpetrators of the crime.



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Therefore, while dismissing this writ petition, this Court directs the official respondents to firmly and swiftly act in this matter and proceed in accordance with law. No costs.

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vca

Index: Yes/No

Internet: Yes/No



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vca

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To:

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- 4.The Inspector of Police, Somangalam,
T-11, Police Station, Poonthandalam,
Chennai – 602 109.
- 5.The Public Prosecutor
High Court Madras,
Chennai

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