



WEB COPY



W.P.No.3927 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.3927 of 2024

J.Praba,
W/o.Muralishankar

... Petitioner

Vs.

1. The Commissioner of Police,
Tambaram Commissionerate,
Tambaram – 600 119.
2. Deputy Commissioner of Police,
Pallikaranai District,
Pallikaranai – 600 100.
3. Assistant Commissioner of Police,
Chemmanchery Range,
Chennai – 600 119.
4. Inspector of Police,
T-15, Chemmanchery Police Station,
Chennai – 600 119.
5. N.Ravi
6. N.Sasikumar

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents 1 to 4 to provide police protection to the petitioner to erect compound wall in the property belonging to the petitioner at Survey No.659/3 in Sholinganallur (Village No.189) Sholinganallur Village, 12th Cross Street, Boopathy Nagar measuring 7 ½ cents.



W.P.No.3927 of 2024

For Petitioner : Mr.C.Vidhusan
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1 to R4]

ORDER

This Writ Petition has been filed seeking for a direction to the respondents 1 to 4 to provide police protection to the petitioner to erect compound wall in the property belonging to the petitioner at Survey No.659/3 in Sholinganallur (Village No.189) Sholinganallur Village, 12th Cross Street, Boopathy Nagar measuring 7 ½ cents.

2. Heard Mr.C.Vidhusan, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing on behalf of respondents 1 to 4.

3. Learned Additional Public Prosecutor appearing for respondents 1 to 4 submitted that a petition enquiry is pending in CSR Nos.844 and 845 of 2023 on the file of fourth respondent on the complaint given by the petitioner and on the counter complaint.

4. The fourth respondent is directed to conduct enquiry in keeping with the judgment of the Supreme Court of India in ***Lalitha Kumari Vs. Government***



W.P.No.3927 of 2024

of Uttar Pradesh reported in **2013 (6) CTC 353**, wherein the Supreme Court has enumerated the nature of cases where preliminary enquiry can be conducted and has also restricted the period, for which preliminary enquiry can be conducted. The fourth respondent is also directed to complete the enquiry in the case and take a decision within a period of two (2) weeks from the date of receipt of a copy of this order. The fourth respondent shall also take into consideration the civil Court decree which ultimately ended before this Court in S.A.No.760 of 2021 by judgment dated 04.02.2022.

With the above direction, this Writ Petition is disposed of. No costs.

19.02.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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To

1. The Commissioner of Police,
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Tambaram – 600 119.
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Pallikaranai – 600 100.
3. The Assistant Commissioner of Police,
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W.P.No.3927 of 2024

5. The Public Prosecutor, High Court, Madras.

N.ANAND VENKATESH, J.

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W.P.No.3927 of 2024

19.02.2024