



Writ Petition No.6297 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.6297 of 2024

K.Vijay

S/o.Kannan

... Petitioner

Vs.

1.The Commissioner of Police,
Tambaram Commissionerate,
Elcot Sez, Karappakam,
Sholinganallur, Chennai - 600 119.

2.The Assistant Commissioner of Police,
Kelambakkam Division,
Kanathur,
Chennai - 603 112.

3.The State represented by
The Inspector of Police,
E-8, Kelambakkam Police Station,
Kelambakkam, Tamil Nadu - 603 103.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus, directing the respondents 1 and 2 to give police protection to the petitioner to inspect the property bearing Flat No.D-4, Oak Tree Apartments, Kazhipattur, Old Mahabalipuram Road, Chennai - 603 103.



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For Petitioner : Mr.S.Udayakumar
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This Writ Petition has been filed seeking for a direction to the respondents 1 and 2 to give police protection to the petitioner to inspect the property bearing Flat No.D-4, Oak Tree Apartments, Kazhipattur, Old Mahabalipuram Road, Chennai - 603 103.

2. Heard Mr.S.Udayakumar, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing on behalf of respondents.

3. Learned Additional Public Prosecutor appearing for respondents submitted that a petition enquiry is pending in CSR No.19 of 2024 on the file of third respondent on the complaint given by the petitioner. Learned Additional Public Prosecutor further submitted that CSR No.1166 of 2023 is pending in the counter case.



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

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

11.03.2024

Index : Yes/No
Speaking Order/Non-speaking Order
Neutral Citation : Yes/No
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N.ANAND VENKATESH, J

gm

To

- 1.The Commissioner of Police,
Tambaram Commissionerate,
Elcot Sez, Karappakam,
Sholinganallur, Chennai - 600 119.
- 2.The Assistant Commissioner of Police,
Kelambakkam Division,
Kanathur,
Chennai - 603 112.
- 3.The State represented by
The Inspector of Police,
E-8, Kelambakkam Police Station,
Kelambakkam, Tamil Nadu - 603 103.
- 4.The Public Prosecutor,
High Court of Madras.

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