



Crl.O.P.No.12224 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.05.2024

CORAM:

THE HON'BLE MR.JUSTICE C.SARAVANAN

Crl.O.P.No.12224 of 2024

S.M.Shahera,
W/o. M.A.Hafeez Mohammed

... Petitioner

Vs.

1. The Commissioner of Police,
Greater Chennai Police,
Chennai.
2. The Deputy Commissioner of Police,
Adyar Range, Chennai.
3. The Assistant Commissioner of Police
Neelankarai Range, Chennai.
4. The Inspector of Police,
J-8 Neelankarai Police Station,
Chennai.
5. The Tahsildar,
Sholinganalur Municipality,
Chennai.

.. Respondents



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PRAYER : Criminal Original Petition filed under Sec.482 of Criminal Procedure Code, to direct the respondents 1 to 4 to give adequate police protection so as the petitioner to put up a compound wall in her property on the southern side including the private passage of the petitioner's property.

For Petitioner : Mr.T.Ramesh

For Respondents : Mr. S.Vinoth Kumar
Govt. Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking to direct the respondents 1 to 4 to give adequate police protection so as the petitioner to put up a compound wall in her property on the southern side including the private passage of the petitioner's property.

2. The case of the petitioner is that a common passage in front of petitioner's house is being encroached by third parties. Therefore, the petitioner has now come before this court seeking for a direction to the respondents police to give adequate police protection so as to permit the petitioner to put up a compound wall in her property on the southern side of a private passage of property.



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3. Heard the learned counsel for petitioner and learned Government Advocate (Crl. side) appearing for respondents and perused the materials available on record.

4. It appears that there is a private dispute between the petitioner and private respondent and a civil suit in O.S.No.1009 of 2021 is pending on the file of Sub-Court, Alandur. Considering the same, the prayer of the Writ Petitioner for a positive direction to give police protection to the petitioner putting up a compound wall in view of pendency of the above suit cannot be allowed. It is however open for the Petitioner to either file a suitable application in the above suit or in the alternative, file a suit against the persons, who are allegedly obstructing the construction proposed to be put up in her property. The respondents may however deploy a posse of police force in front of the petitioner's house, so that there is no untoward law and order situation in case the petitioner continues to put up a compound wall. In case there is an objection, the petitioner is at liberty to approach the Civil Court as mentioned above.



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5. With the above direction, this Criminal Original Petition is disposed of.

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Index : Yes / No

Internet : Yes / No

Speaking/Non-speaking order

rpp

To

1. The Commissioner of Police,
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Chennai.
2. The Deputy Commissioner of Police,
Adyar Range, Chennai.
3. The Assistant Commissioner of Police
Neelankarai Range, Chennai.
4. The Inspector of Police,
J-8 Neelankarai Police Station,
Chennai.
5. The Tahsildar,
Sholinganalur Municipality,
Chennai.
6. The Public Prosecutor,
High Court, Madras.



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