



Crl.O.P.No.6538 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.6538 of 2025

G.Linganathan

... Petitioner

Vs.

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

2. The Inspector of Police,
T14, Mangadu Police Station,
Chennai – 600 122.

3. L.Saravanan

... Respondents

Prayer: Criminal Original petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the first and second respondents herein to give necessary police protection to the life and limb of the petitioner by considering his representation dated 17.02.2025, within the period that may be stipulated by this Court.

For Petitioners : Mr.Kanimozhi Mathi

For Respondents

For R1 & R2 : Mr.A.Gopinath

Government Advocate (Crl. Side)

For R3 : Mr.C.Aribazhagan



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Crl.O.P.No.6538 of 2025



Crl.O.P.No.6538 of 2025

ORDER

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This petition has been filed for direction directing the respondents 1 & 2 to provide adequate police protection to the life and limb of the petitioner at the hands of the third respondent herein.

2. The third respondent is none other than own son of the petitioner. The petitioner owned family properties along with the properties purchased by him in the year 1986, comprised in survey No.138/2, new survey No.594/15, Mangadu Village, Sriperumbathur Taluk, to an extent of 6934 Sq.ft. The petitioner had constructed four shops in ground floor, double bedroom flat in the first and second floors. While being so, the third respondent being the son of the petitioner, who is residing in abroad, came to Chennai and threatened the petitioner to settle the property and also threatened him with dare consequences and to go out from the property.

3. The learned counsel appearing for the petitioner submitted that though the property is an ancestral property, the petitioner being a father, the third respondent cannot have any right to compel the petitioner to settle the property and also compel the petitioner to go out



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from the property. The third respondent is being a son of the petitioner, he has to take care of his father, instead of, he threatened him with dare consequences. Further, the petitioner lodged several complaints to the second respondent and the same were closed without even registering FIR.

4. The learned Government Advocate (Crl. Side) appearing for the respondents police submitted that the complaint lodged by the petitioner was enquired in C.S.R.No.2183 of 2024 and the same was closed on 20.08.2024.

5. The learned counsel appearing for the third respondent submitted that the third respondent is in Dubai along with his family members. There is absolutely no material to show that the third respondent threatened the petitioner and compelled him to go out from the property. He further submitted that the petitioner attempted to alienate the family property and the third respondent has share in the family property. Further the third respondent did not compel the petitioner to settle the property and not threaten the petitioner with dare consequences and also to go out from the property.



Crl.O.P.No.6538 of 2025

6. Heard the learned counsel appearing on either side and

perused the materials placed before this Court.

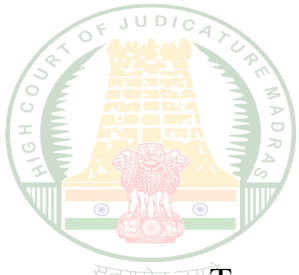
7. On perusal of records revealed that there is a property dispute between the petitioner and third respondent, who are the father and son. Therefore, the third respondent can very well approach the civil Court for proper relief. Insofar as the complaint lodged by the petitioner seeking police protection at the hands of the third respondent, the second respondent is directed to conduct enquiry and to provide adequate police protection to the petitioner and also take appropriate action as against the third respondent in the manner known to law.

8. With the above directions, the Criminal Original Petition stands disposed of.

17.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

rts



Crl.O.P.No.6538 of 2025

To
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1. The Commissioner of Police,
Avadi Commissioner Office,
Avadi, Chennai – 600 054.
2. The Inspector of Police,
T14, Mangadu Police Station,
Chennai – 600 122.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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Crl.O.P.No.6538 of 2025

G.K.ILANTHIRAIYAN, J.

rts

Crl.O.P.No.6538 of 2025

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