

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2015

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CrI.O.P.No.20677 of 2015

Duraikannan

...Petitioner

Vs.

1.The Inspector of Police
R6, Kumaran Nagar Police Station,
Chennai.

2.The Commissioner of Police,
Greater Chennai,
Vepery, Chennai - 600 007.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C to direct the first respondent herein to give adequate police protection for taking possession of the property described in the petition hereunder pursuant to the orders of the Learned Chief Metropolitan Magistrate, Egmore, Chennai 600 008 dated 20.05.2015 in CrI.MP.No.2093 of 2015 with break open if necessary.

For Petitioner : Mr.AR.L. Sundaresan
Senior counsel
for Ms.Ganthimathi

For Respondents : Mr.C. Emalias
Addl. Public Prosecutor

सत्यमेव जयते
O R D E R

This criminal original petition has been filed to direct the first respondent to give adequate police protection for taking possession of the property described in the petition pursuant to the orders of the Learned Chief Metropolitan Magistrate, Egmore, Chennai 600 008 dated 20.05.2015 in CrI.MP.No.2093 of 2015 with break open if necessary.

2. The learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. It is seen that the petitioner has been appointed as Advocate Commissioner by the Chief Metropolitan Magistrate, Egmore, Chennai,

by an order dated 20.05.2015 in CrI.M.P.No.2093 of 2015 to take possession of the property at Plot No.148, Door No.50A, Thiruvallurvar Street, Ethiraj Nagar, West Mambalam, Chennai - 600 033. This order has been passed by the Chief Metropolitan Magistrate, Egmore, Chennai, under the provision of the Securitisation Act. It is the case of the petitioner that some persons claiming themselves to be advocates are preventing him from executing the lawful warrant issued by the Court. Under Section 21 of the Tamil Nadu District Police Act, 1859. It is the duty of the police to execute all lawful warrants issued by the Courts. In view of the fact that the petitioner has to perform his lawful duties, the respondent police is directed to provide sufficient assistance to the petitioner to execute the warrant and take steps to remove the illegal encroachers if any.

With the above direction, the criminal original petition is ordered accordingly.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

sms

To

1.The Inspector of Police
R6, Kumaran Nagar Police Station,
Chennai.

2.The Commissioner of Police,
Greater Chennai,
Vepery, Chennai - 600 007.

3.The Public Prosecutor,
High Court, Madras.

2 cc to Mr.AL.Gandhimathi, Advocate Sr.No.44356

CrI.O.P.No.20677 of 2015

gr(co)
pmk.25.8.2015

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