

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.28155 of 2015

Mr. Saleth

... Petitioner

Vs

The State rep. By
Inspector of Police,
P-2, Sipcot Police Station,
Gummidipoondi,
Thiruvallore District.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to give adequate and proper police protection to the petitioner and his construction labourers while constructing the compound wall on the eastern side and part of the southern side of the factory situated at Survey No.16, part of Survey No.17, part of Survey No.25, part of Survey No.28 and part of Survey No.29 admeasuring total extent of 2.42 acres in Gummidipoondi Village, Tiruvallur District bearing plot No.A12(B) new Gummidipoondi Village, SIPCOT Complex, Tiruvallur District.

For Petitioner : Mr.Sai Krishnan for
M/s. Sai Bharath and Ilan

For respondent : Mr. C.Emalias,
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed seeking a direction to the respondent to give adequate and proper police protection to the petitioner and his construction labourers while constructing the compound wall on the eastern side and part of the southern side of the factory situated at

Survey No.16, part of Survey No.17, part of Survey No.25, part of Survey No.28 and part of Survey No.29 admeasuring total extent of 2.42 acres in Gummidipoondi Village, Tiruvallur District bearing plot No.A12(B) new Gummidipoondi Village, SIPCOT Complex, Tiruvallur District.

2. In the petition, it is stated that the land measuring 2.42 acres situated in Survey No.16, part of Survey No.17, part of Survey No.25, part of Survey NO.28 and part of Survey No.29 in Gummidipoondi Village, Thiruvallur District was allotted to the petitioner, for a period of 96 years, under the Lease Deed dated 14.09.2009 vide document No.2836 of 2009. The said property was originally allotted to one M/s.Rohini Cables and subsequently re-allotted to the petitioner. From the date of allotment, the possession of the property was handed over to the petitioner and he constructed a factory. While being so, the accused is claiming easementary right of passage and without having any right, he filed a suit in O.S.No.53 of 2015. While so, on 07.11.2015, when the construction was going on, the accused and his henchmen came to the place and completely demolished the construction and damaged the steel gate and other construction materials. Hence, the petitioner lodged a complaint before the respondent police on 12.11.2015 and based on which, CSR No.206 of 2015 has been assigned, but no action was taken on the said complaint. Hence, the petitioner has come up with the present petition.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

4. Considering the submissions, this Court directs the respondent to consider the complaint of the petitioner pending in CSR.No.206 of 2015 and pass an appropriate order on merits and in accordance with law, after giving an opportunity of hearing to all the necessary parties, with regard to providing of police protection to the petitioner while constructing compound wall, within a period of two weeks from the date of receipt of a copy of this order. The criminal original petition is disposed of accordingly.

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-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

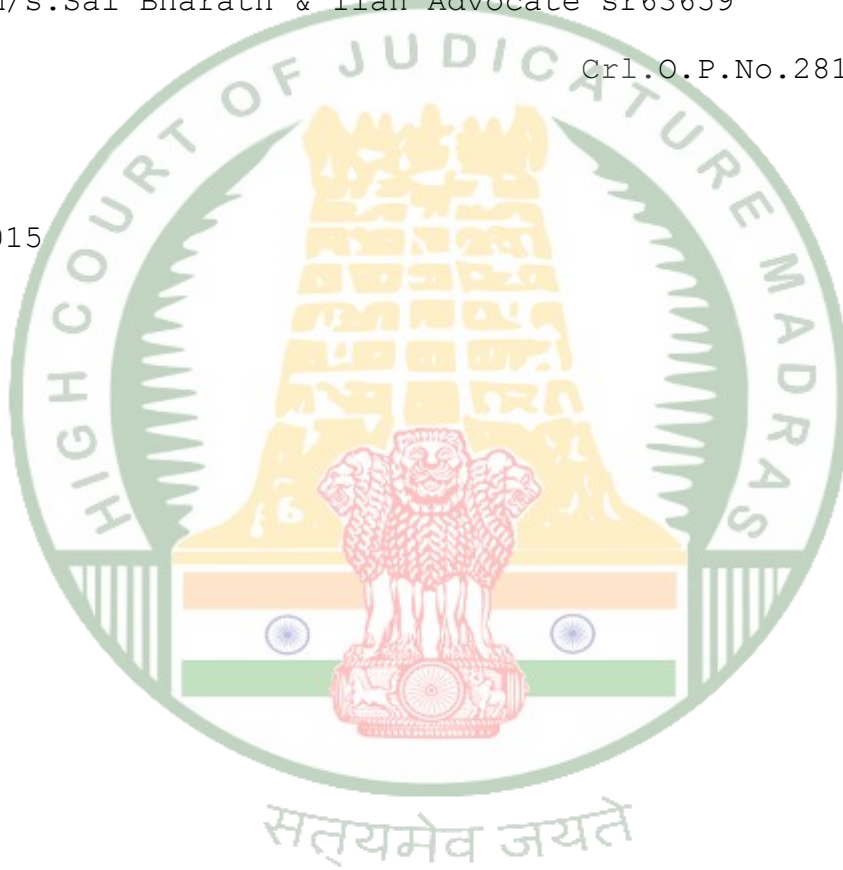
1.The Inspector of Police,
P-2, Sipcot Police Station,
Gummidipoondi,
Thiruvallore District.

2.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.Sai Bharath & Ilan Advocate sr63659

Crl.O.P.No.28155 of 2015

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