

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2016

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Cr1.O.P. No.21481 of 2016

S. Swaminathan
Managing Trustee
Swaminathan Saraswathi Education Trust
4/1 Masinayakampatti
Ayyothiyapattinam
Salem 636 101

Petitioner

vs.

- 1 The Commissioner of Police
Salem City
Salem
 - 2 The Deputy Commissioner of Police
Salem
 - 3 The State represented by
the Inspector of Police
Ammappettai Police Station
Salem
- Respondents

Criminal Original Petition filed under Section 482, Cr.P.C. seeking to direct the respondents to provide police bandobust enable to complete the construction of the remaining portion of compound wall for the purpose of safeguard the interest of girl students in the school namely "Swamy Matriculation and Higher Secondary School" owned to the "Swaminathan Saraswathi Education Trust."

For petitioner
For respondents

Mr. R. Muniyapparaj
Mr. C. Emalias
Addl. Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to direct the respondents to provide police bandobust to enable the petitioner to complete the construction of the remaining portion of compound wall for the purpose of safeguarding the interest of

girl students in the school, viz., "Swamy Matriculation and Higher Secondary School" owned by "Swaminathan Saraswathi Education Trust."

2 Heard Mr. Muniyapparaj, learned counsel for the petitioner and Mr.C.Emalias, learned Additional Public Prosecutor appearing for the respondents.

3 It is the case of the petitioner that he is the Managing Trustee of Swaminathan Saraswathi Education Trust, which runs Swamy Matriculation and Higher Secondary School. The school owns 5 acres of land in Masinayakampatti, Salem District, of which, 2.33 acres in Survey No.145/1 vide patta no.992 has been earmarked for sports activities. It is the further case of the petitioner that the Special Tahsildar, Adi Dravida Welfare, had initiated acquisition proceedings in respect of the said land some time in the year 2008. Now, when the petitioner wants to put up a compound wall for the security and safety of the students, some local people are objecting to the same. In this regard, a complaint dated 25.06.2016 was given by the petitioner to the Deputy Commissioner of Police (L & O) and a Peace Committee Meeting was convened by the Special Tahsildar, Adi Dravida Welfare, Vazhappadi. Since the petitioner did not participate in the meeting, the matter has been now referred to the Revenue Divisional Officer, Salem.

4 Under such circumstances, the Revenue Divisional Officer, Salem, is directed to conduct enquiry and if it is found that the petitioner has a valid title to the property without any pending acquisition proceedings, it is needless to state that he is entitled to police protection for putting up compound wall around the property. The Revenue Divisional Officer is directed to complete the enquiry within a period of four weeks and issue appropriate directions to the Superintendent of Police and the Inspector of Police, to provide bandobust to the petitioner for the construction of compound wall.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

cad

To

1 The Commissioner of Police
Salem City, Salem

2 The Deputy Commissioner of Police
Salem

3 The Inspector of Police
Ammappettai Police Station
Salem

4 The Revenue Divisional Officer, Salem

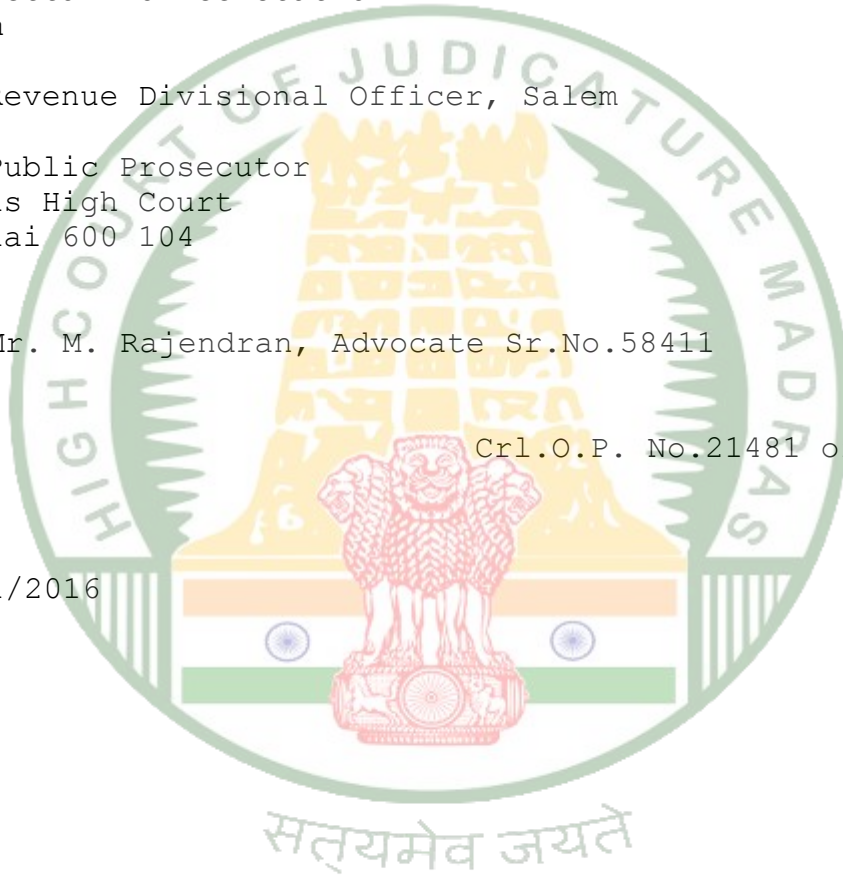
5 The Public Prosecutor
Madras High Court
Chennai 600 104

+1 CC to Mr. M. Rajendran, Advocate Sr.No.58411

CrI.O.P. No.21481 of 2016

KSJ (CO)

MD : 02/11/2016



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