

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.2718 of 2016

1.A.Murthy

2.A.Jayaselvam

.. Petitioners

Vs.

1.The Director General of Police
Kamarajar Salai, Mylapore
Chennai-4.

2.The Commissioner of Police
Greater Chennai
Commissioner office Building
No.132, EVK Sampath Salai
Vepery, (Near Daily Thanthi)
Chennai-7.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents to provide police protection to the petitioners.

For Petitioners :Mr.M.Vijayakumar

For Respondent :Mr.C.Emalias

Addl. Public Prosecutor

O R D E R

The petitioners have come forward with this petition seeking for a direction to the respondents to provide police protection to the petitioners.

2.The petitioners herein are social activists. The first petitioner has filed W.P.No.20498 of 2008 before this Court for removal of encroachments made on the water bodies. This Court by an order dated 22.08.2008, directed the second respondent/Chief Engineer, Public Works Department, Chepauk, to consider his representation and dispose the same by speaking order. On 10.11.2008, the said order has been modified as 'third respondent' instead of 'second respondent'. Thereafter, proceedings has been passed by the Collector, Tanjore District, dated 21.02.2009, in which, it was stated that a direction was issued to the Revenue Divisional Officer, Pattukottai and also

Block Development Officer, Thiruvonam, to remove the encroachment with the help of both the revenue and police officials.

3.The first petitioner herein has again filed a writ petition in W.P.No.5361 of 2009 for the same relief and the same was dismissed by this Court on 02.04.2009. The, the Collector has passed the order dated 08.12.2015, directing the Tahsildar, Pattukottai, to take effective steps to remove the encroachments made in the water bodies (i.e.) the lake land in lake S.No.117 at Adambi Village, Pattukottai Taluk, Tanjore District. Now the encroachers attempted to threat the petitioners. So the petitioners have come forward with this petition for the above said relief.

4.Learned counsel for the petitioners submits that the first petitioner has given a representation to the respondents on 22.01.2016, but the respondents have not passed any order. Hence, the petitioners have come forward with the present petition for a direction to the respondents to provide adequate police protection.

5.Learned Additional Public Prosecutor submits that the respondents are ready to consider the petitioner's representation and pass appropriate orders.

6.Consider the rival submissions made on both sides, since the petitioners are social activists and they had taken steps to restore the water bodies, they are facing life threat at the hands of the encroachers of water bodies. Under such circumstances, first respondent police is directed to consider the representation of the petitioners and pass appropriate orders in accordance with law and on merits.

7. The Criminal Original Petition is disposed of with the above direction.

सत्यमेव जयते
-s/d-

Assistant Registrar

True Copy

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Sub-Assistant Registrar

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To

1.The Director General of Police
Kamarajar Salai, Mylapore
Chennai-4.

2.The Commissioner of Police
Greater Chennai
Commissioner office Building
No.132, EVK Sampath Salai
Vepery, (Near Daily Thanthi)
Chennai-7.

3.The Public Prosecutor
High Court, Chennai.

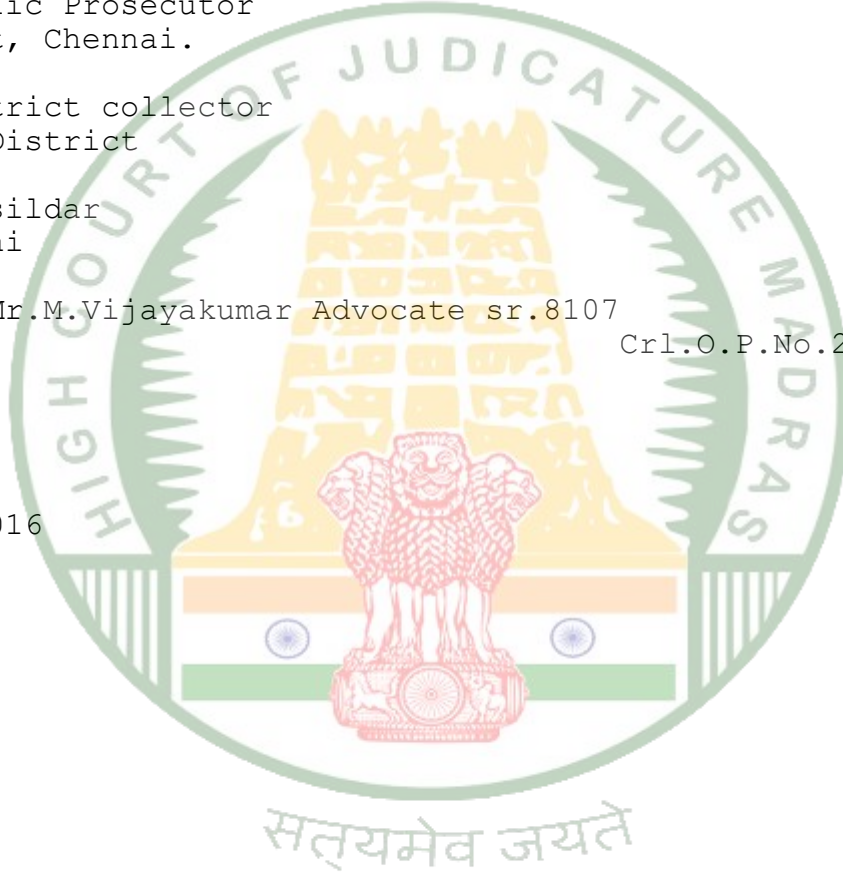
4.The District collector
Thanjore District

5.The Tahsildar
Pattukottai

+1 cc to Mr.M.Vijayakumar Advocate sr.8107

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