

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.05.2016

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Cr1.OP No.9670 of 2016

Heera Howard Simon rep. by her
Power Agent M.Irshad Ali.

.. Petitioner

Vs

1.The Commissioner of Police
Veppery
Chennai 7

2. The Inspector of Police
S.15, Selaiyur Police Station
Selaiyur
Chennai 600 073

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C. to issue direction to the respondents to give adequate police protection to implement the order dated 1.4.2016 made in W.P.No.12260 of 2016 passed by this Hon'ble Court as per the decision reported in Radhika Srihari Case (2014 (2) CTC 695).

For Petitioner

: Mr.N.Manokaran

For Respondents

: Mr.M.Maharaja

Addl.Public Prosecutor

ORDER

The petitioner is the owner of the lands measuring an extent of of 30 Cents in S.No.745/2B3A1, Madambakkam Village, Tambaram Taluk, Kanchipuram District. The petitioner is now living in USA and therefore she is represented by her power agent Mr.M.Irshad Ali.

2. The petitioner has constructed a small house in the above land and obtained service connection to her house. While so, on 23.11.2003, one Mr.G.Loganathan and his henchmen have committed criminal trespass, attacked the watchman, and removed the electricity meter box from her house. Subsequently, on her representation, electricity supply was restored to original position. Again on 22.2.2016, the said Mr.G.Loganathan and his hooligans have committed theft of electricity meter box and it

was reported to the second respondent police and he issued CSR No.35 of 2016.

3. The TNEB had issued an order dated 16.3.2016, directing the petitioner to appear along with all relevant documents before him for enquiry. Since it was issued with mala fide intention, he filed a Writ Petition before this Court in W.P.No.12260 of 2016 challenging the said order. This Court allowed the Writ Petition with following direction:

"This Writ Petition is allowed. The impugned proceedings of the third respondent dated 16.3.2016 is quashed. It is open to the third respondent to satisfy himself as to on what basis the fifth respondent claims title over the property and thereafter, if he is satisfied, record his reasons in writing, issue notice to the petitioner and consider the claim of the fifth respondent after hearing the objections of the petitioner. However, this order will not be a bar for the third respondent to install the new meter box in question which shall be subject to further proceedings that may be initiated by him."

Seeking a direction to implement the said order passed by this Court by restoring the electricity supply, the petitioner is before this Court.

4. The learned Additional Public Prosecutor appearing on behalf of the respondents, on instructions, submitted that the enquiry is being conducted by the respondent police and the petitioner may be directed to attend the enquiry.

5. Considering the facts and circumstances of the case and the submissions made by the learned Additional Public Prosecutor, the petitioner is directed to appear before the second respondent police on 23.5.2016 for the enquiry. The second respondent police shall complete the enquiry within a period of two weeks from the date of his appearance for enquiry and based on the enquiry, he shall take into consideration the request of the petitioner for restoring power supply to the petitioner's premises, in the light of the order passed by this Court in W.P.No.12260 of 2016 dated 1.4.2016.

6. This Criminal Original Petition is disposed of with above direction.

ajr

s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1.The Commissioner of Police
Veppery
Chennai 7

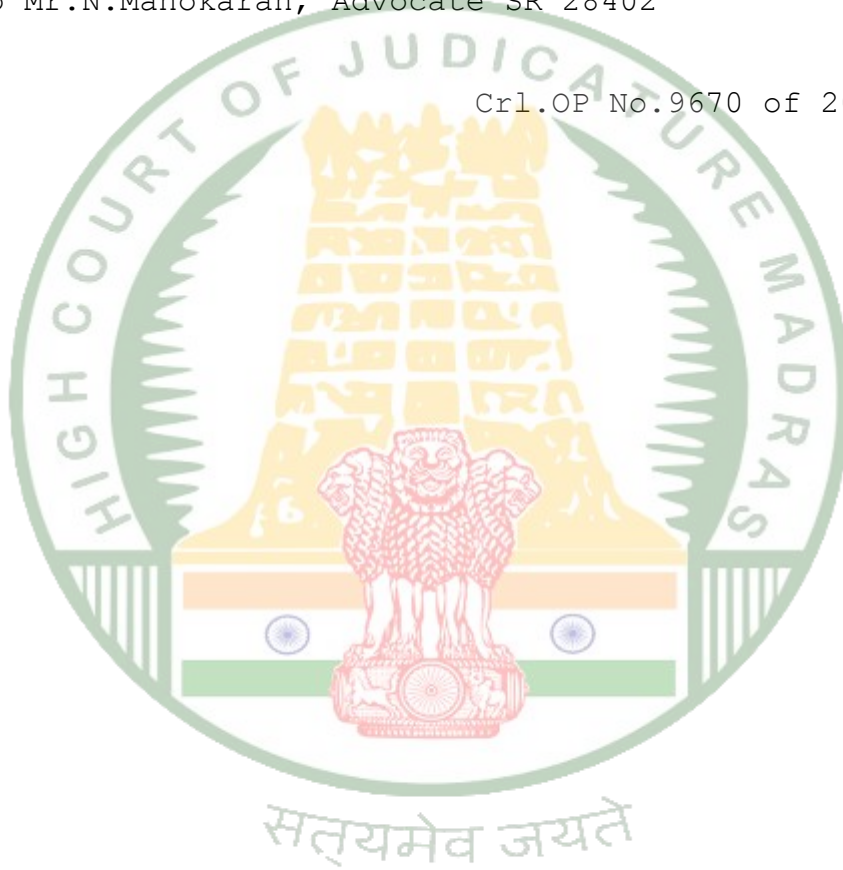
2. The Inspector of Police
S.15, Selaiyur Police Station
Selaiyur, Chennai 600 073

3.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.N.Manokaran, Advocate SR 28402

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