

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.05.2017

CORAM

THE HON'BLE MR.JUSTICE P.KALAIYARASAN

Crl.OP.No.9091 of 2017

P.P.Abdul Kader

...Petitioner

Vs

1. The Superintendent of Police,
Mahe,
Union Territory of Puducherry.
2. The Station Officer,
Mahe Police Station,
Mahe,
Union Territory of Puducherry.

....Respondents

The Criminal Original petition is filed under section 482 of Crl.P.C., direct the respondents to M.M.Nursery and Primary School, Cherukallai for conducting election on 13.05.2017 based on the petitioner's representation dated 20.04.2017.

For Petitioner : Ms.Asha
For M/s.Sarvabhauman Associates

For Respondents: Mr.A.Tamilselvan
Public Prosecutor (Pondicherry)

ORDER

This Criminal Original Petition has been filed seeking a direction to the respondents to give police protection for conducting election on 13.05.2017 at M.M.Nursery and Primary School, Cherukallai, based on the petitioner's representation dated 20.04.2017.

2. Heard both sides.

3. It is averred by the petitioner that the election to the Managing Committee of the petitioner's Society is being conducted the once in five years and the present Managing Committee expired in April 2017. It has been announced in

General Body Meeting, vide notification issued on 27.04.2017, that the election is scheduled to be conducted on 13.05.2017, which is going to be held at M.M.Nursery and Primary School, Cherukallai. In 2012, when such election was held, some miscreants in the locality caused trouble. Therefore, the petitioner's Society approached the Kerala High Court and got the police protection order as the venue, at that time fell under the jurisdiction of Kerala High Court.

4. The same miscreants viz., T.P.Aneez and M.Mohammed and their henchmen are once again interfering with the Management of the Society and they are likely to cause obstruction and violence in conducting the election and therefore, the petitioner needs police protection.

5. The Police protection order obtained from Kerala High Court in W.P.(C).No.9468 of 2012 (G) dated 12.04.2012 has been filed in the typed set of papers. The petitioner also gave representation to the Superintendent of Police, Mahe. As per the notice issued by the General Secretary of the Petitioner's Society, Annual Election for selecting the 23 members of Managing Committee is to be held on 13.05.2017 at 11.30.a.m. at M.M.Nursery and Primary School, Cherukallai.

6. Considering the apprehension of the petitioner's Society, this Court is of the considered view that this petition is to be ordered for conducting election smoothly. Therefore, the respondents are directed to give police protection to the petitioner's Society for conducting election on 13.05.2017 at M.M.Nursery and Primary School, Cherukallai.

7. This Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

kmi

To

1. The Superintendent of Police,
Mahe,
Union Territory of Puducherry.

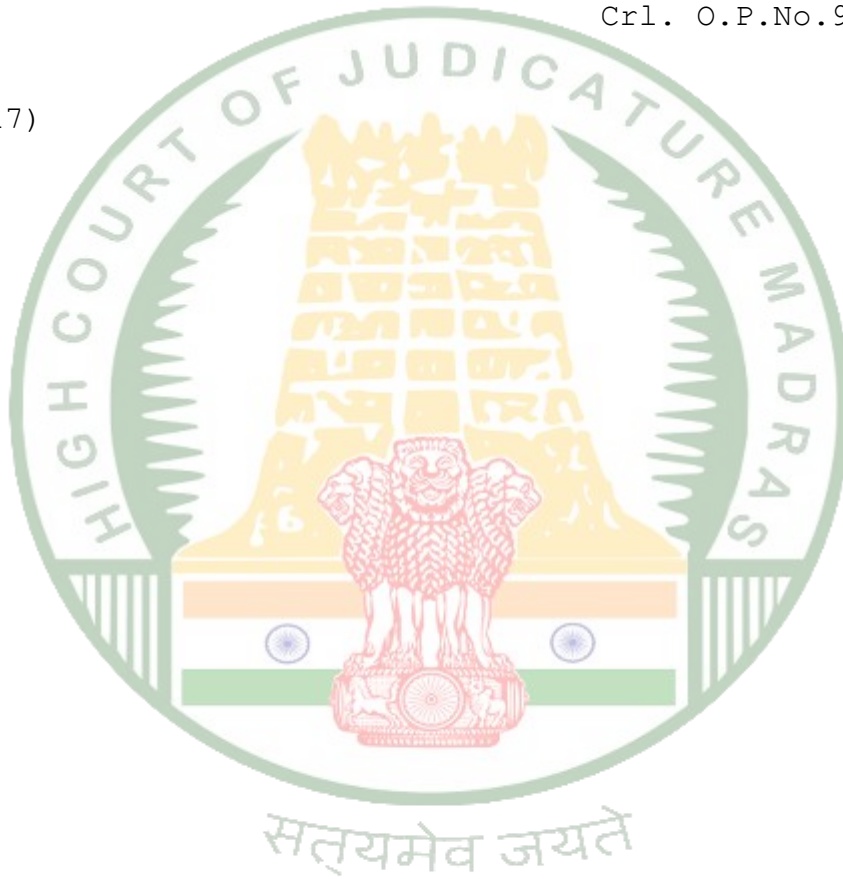
2. The Station Officer,
Mahe Police Station,
Mahe,
Union Territory of Puducherry.

3. The Public Prosecutor,
Pondicherry.

+lcc to Mr.Sarvabhuman Associates,Sr.36837(8/5/2017)

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MG(CO)
VR(8/5/2017)



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