



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2017

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.6934 of 2017

R.Johnson Moses

... Petitioner

-VS-

1. The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2. The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.

3. Thenkaraimuthu.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the respondents 1 and 2 to break open the lock for smooth functioning of the school by providing adequate police protection to the petitioner's school, namely, Sivaguru Memorial Primary School at Nanguneri Tirunelveli District for his life and limb based on his complaint dated 23.10.2015.

For Petitioner

: Mr.G.Thalaimutharasu

For R1 & R2

: Mr.K.Anbarasan

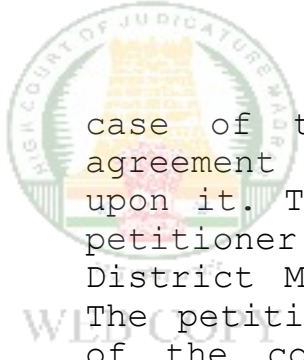
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed to direct the respondents 1 and 2 to break open the lock for smooth functioning of the school by providing adequate police protection to the petitioner's school, namely, Sivaguru Memorial Primary School at Nanguneri, Tirunelveli District and also for his life and limb based on his complaint dated 23.10.2015.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State.

3. It is the case of the petitioner that he had taken the <https://hservices.ecourtts.gov.in/hservices/> property belonging to Sami Nadar, father of Thenkaraimuthu / 3rd respondent herein sometime in the year 2002 for running a school in the name of Sivaguru Memorial Primary School. It is further



case of the petitioner that Sami Nadar had entered into an agreement to sell the property to the petitioner, but went back upon it. Therefore, some dispute arose between Sami Nadar and the petitioner. Sami Nadar filed O.S.No.261 of 2008 before the District Munsif Court, Nanguneri for recovery of the possession. The petitioner filed O.S.No.116 of 2009 for specific performance of the contract. It is reported that O.S.No.261 of 2008 was dismissed for default and O.S.No.116 of 2009 is still pending. In the meantime, Sami Nadar died and that his son Thenkaraimuthu along with some Advocates has attempted to take forcible possession of the property by locking the school.

4. On instructions, learned Government Advocate (Crl.Side) submitted that on the complaint given by the petitioner, petition enquiry is pending with the Police.

5. Under such circumstances, this Court directs the respondent police to ensure that the petitioner is not dispossessed illegally from the school and that the school runs peacefully. If any attempt is made by anyone to physically close down the school, the respondent police shall take appropriate action. The respondent police is also directed to put police picket around the school until the situation is brought under control.

With the above direction, this petition is disposed of.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar.

To:

- 1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.
2. The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to M/S.G.Thalaimutharasu, Advocate, SR.No. 59632

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