

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.05.2018

CORAM

THE HONOURABLE Mr.JUSTICE P. RAJAMANICKAM

CrI.O.P.No. 13738 of 2018

R.Subburaman

The Partner

P.K.K.Exports

S.F.No.488/1B, Sithampoondi Village

Paramathivelur Taluk

Namakkal District

... Petitioner

Vs.

1. The Superintendent of Police
Namakkal District.

2. The Deputy Superintendent of Police
Vellur Sub Division
Namakkal District

3. The Inspector of Police
Nallur Police Station
Namakkal District

... Respondents

Prayer:Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to direct the respondents to provide adequate Police Protection to the Petitioner and his employees to operate the quarry over an extent of 4.86.0 hectares in S.F.No.488/1B (part) (1.42.5 hectares), 488/2 (part) (0.86.5 hectares), 489/3 (part) (0.16.5 hectares), 489/4 (part) (0.25.5 hectares), 489/5A (part) (0.17.0 hectares), 497 (1.64.5 hectares), 503/3 (part) (0.33.5 hectares) of Sithampoondi Village, Paramathi Velur Taluk, Namakkal District, based on the petitioner's representation dated 04.05.2018 and the CSR No.102/2018 dated 09.05.2018.

For Petitioner : Mr.A.R.L.Sunderesan(SC)
for M/s.Suresh Sakthi Murugan

For Respondents : Ms.Kritika Kamal
Government Advocate (CrI. Side)

O R D E R

This petition has been filed to direct the respondents to provide adequate police protection to the petitioner and his employees to operate the quarry over an extent of 4.86.0 hectares in S.F.No.488/1B (part) (1.42.5 hectares), 488/2 (part) (0.86.5 hectares), 489/3 (part) (0.16.5 hectares), 489/4 (part) (0.25.5 hectares), 489/5A (part) (0.17.0 hectares), 497 (1.64.5 hectares), 503/3 (part) (0.33.5 hectares) of Sithampoondi Village, Paramathi Velur Taluk, Namakkal District, based on the petitioner's representation dated 04.05.2018 and the CSR No.102/2018 dated 09.05.2018.

2. Mr.AR.L.Sundaresan, learned senior counsel appearing for the petitioner has submitted that the petitioner has obtained licence from the concerned authorities for operating quarry in the aforesaid survey numbers. He further submitted that on 04.05.2018 at about 10.30.a.m., about 50 persons came to the quarry and threatened the employees that they should not work there. Further they threatened that they will set fire to the machineries. Against which, the petitioner has lodged a complaint on 04.05.2018 before the first respondent. He further submitted that the third respondent after receipt of the complaint, has issued CSR No.102/2018, but so far he has not taken any further steps and emboldened by the same, the aforesaid persons again threatened the petitioner and his employees. Hence, the petitioner is not able to operate the quarry and therefore, he requested to direct the respondents to provide police protection for operating the quarry.

3. Ms.Kritika Kamal.P., the learned Government Advocate (Criminal Side) has submitted that since the entire village people objecting for operating the quarry, the police is not able to take any action. She further submitted that the third respondent already referred the matter to the RDO for taking appropriate action.

4. Considering the aforesaid submissions, the third respondent is directed to conduct the enquiry on the representation submitted by the petitioner dated 04.05.2018. If the enquiry reveals any cognizable offence, then he has to register the case and proceed in accordance with law or otherwise, the third respondent has to give protection to the petitioner for operating the quarry in a peaceful manner.

5. With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Vacation Officer/
Deputy Registrar (AD-i)

//True Copy//

Sub Assistant Registrar

msv/kmi

To

1. The Superintendent of Police
Namakkal District.
2. The Deputy Superintendent of Police
Vellur Sub Division
Namakkal District.
3. The Inspector of Police
Nallur Police Station
Namakkal District.
4. The Public Prosecutor,
High Court, Chennai-104.

+2cc to Mr.A.SURESH SAKHI MURUGAN, Advocate, S.R.No. 33904
Crl.O.P.No. 13738 of 2018

GMR (CO)
TR(22/05/2018)

सत्यमेव जयते
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