

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.14788 of 2018

K.Jayaraman

... Petitioner

Vs

1.State rep. by
The Commissioner of Police,
Greater Chennai,Vepary, Chennai-600 007.

2.State rep. by
The Inspector of Police,
J-1, Police Station,Saidapet,Chennai-600 015 ... Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the respondents herein to remove the persons who committed criminal trespass and to give necessary protection to the petitioner, his family members and occupants of the building complex situate at Old.No.16, New.No.1, Maggs Land, Abdul Razak First Street, Saidapet, Chennai-600 015.

For Petitioner : Mr.M.Balasubramanian
For Respondents : Ms.P.Kritika Kamal,
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to the respondents herein to remove the persons who committed criminal trespass and to give necessary protection to the petitioner, his family members and occupants of the building complex situated at Old.No.16, New.No.1, Maggs Land, Abdul Razak First Street, Saidapet, Chennai-600 015.

2. It is the case of the petitioner that his father R.Kannan purchased the property bearing Old Door No.16, New No.1, Maggis Land, Abdul Kazak First Street, Saidapet, Chennai-600 015, of an extent of 3 grounds by Court sale and thereafter, settled the property in the name of the petitioner and his brother.

3. The petitioner and his brother have constructed flats in the said property. It appears that some persons misusing the name of Bharat Ratna Dr.Ambedkar, have put up a Board and hoisted a flag at the entrance of the said property and thereby, causing extensive obstructions to the petitioner and the persons living in the property.

4. The petitioner has produced the copies of the photographs, which show that a Board has been erected and a flag has been hoisted at the entrance of the property. It is seen that no permission has been obtained from the authorities for such activities. Under Article 21 of the Constitution of India, the petitioner has got right to live in peace without such disturbances and encroachments. Hence, the petitioner is directed to go in person and give a fresh complaint to the second respondent. On receipt of the complaint, the second respondent police is directed to remove the persons, unauthorizedly squatting in the property of the petitioner and remove the Board and Flag and give necessary police protection to the petitioner, his family members and occupants of the building at old Door No.16, New No.1, Maggis Land, Abdul Razak First Street, Saidapet, Chennai-600 015.

With the above direction, this petition is ordered.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

mk / gmd

To

1.The Commissioner of Police,
Greater Chennai,Vepary, Chennai-600 007.

2.The Inspector of Police,
J-1, Police Station,Saidapet, Chennai-600 015.

3.The Public Prosecutor,
Madras High Court, Chennai.

+1cc to M/S.M.Balasubramanian, Advocate, S.R.No.34939

Cr1.O.P.No.14788 of 2018

NRL(CO)

CS/19/06/18