

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

Cr1.O.P.No.28334 of 2019

1. Indrani

2. T.Gopinath

3. Minor G.Harish Raj

4. Minor G.Branitha ...Petitioners

Vs

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

2. The Inspector of Police,
K-11, CMBT Police Station,
Chennai - 600 107.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the respondents to provide police protection to remove unauthorized buses parking in petitioner land and to construct compound wall to the property of the petitioners situated in Survey Number 40/2 and 40/6 measuring 64 cents in Koyambedu Village, Chennai, by considering the petitioner representation dated 16.09.2019.

For Petitioner : Mr.K.M.Vijayan
Senior Counsel for
M/s.K.M.Vijayan Associates

For Respondents: Ms.V.Saratha Devi
Government Advocate (Cr1. Side)

O R D E R

This Criminal Original Petition has been filed to direct the respondents to provide police protection to remove the unauthorized buses parking in petitioner's land and to construct compound wall to the property of the petitioners situated in Survey Numbers 40/2 and 40/6 measuring 64 cents in Koyambedu

Village, Chennai, by considering the petitioner's representation dated 16.09.2019.

2.The learned Senior Counsel for the Petitioners submitted that the land in Survey Number 40/2 and 40/6, Koyambedu Village, Chennai belongs to the petitioners herein. The apprehension of the petitioners is that the buses belonging to some private bus operators are being illegally parked in their property and therefore, they seek for protection for the purpose of removing the unauthorizedly parked buses. The learned Senior Counsel for the Petitioner also submitted that they intend to put up a compound wall to secure the property.

3.Today, when the matter was called, the learned Government Advocate (Crl. Side) submitted that, some private buses are being parked in this subject property and they are yet to ascertain the ownership of the said properties in Survey Number 40/2 and 40/6.

4.Apparently, the illegal parking of the buses is not through any valid title or right. As such, the petitioners would be entitled to seek for the assistance of the police for protection.

5.In the light of the above observations, there shall be a direction to the 2nd respondent to extend the necessary protection to the petitioners for the purpose of putting up the compound wall as well as ensuring that the private vehicles are not parked inside the property. The 2nd respondent is also at liberty to seek for documents for the purpose of ascertaining the title of the petitioner over the subject property in Survey Number 40/2 and 40/6. The entire exercise of extending the police protection shall be made at least within a period of one week from the date of receipt of a copy of this order. Accordingly, the Criminal Original Petition stands allowed.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

ssr

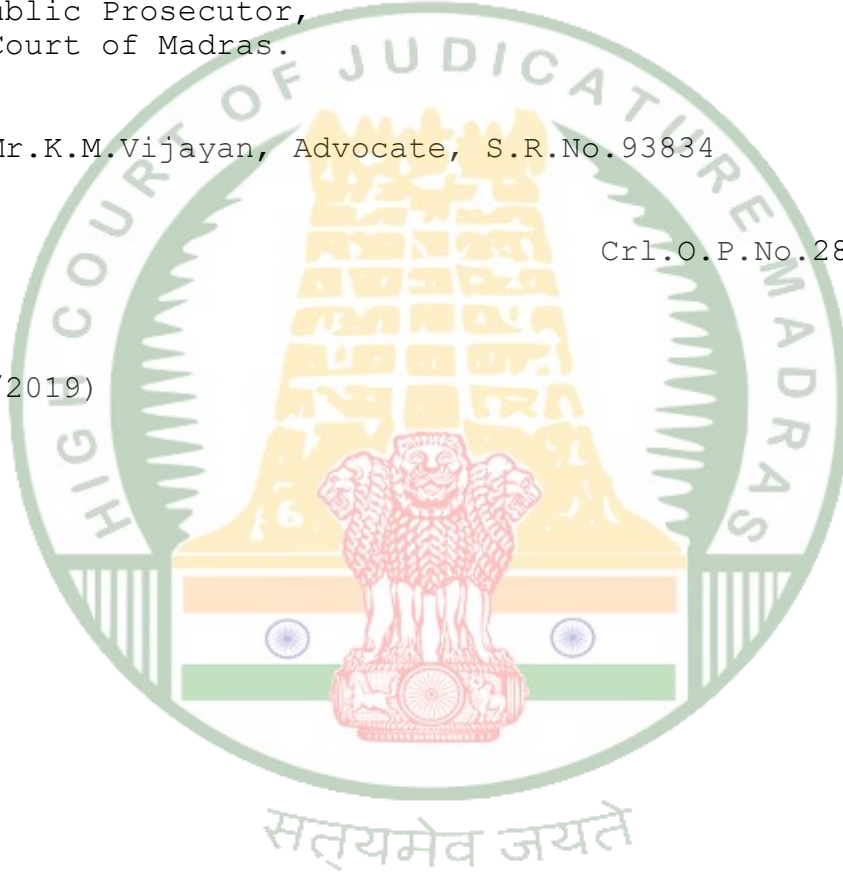
To

1. The Commissioner of Police,
Greater Chennai,
Chennai - 600 007.
2. The Inspector of Police,
K-11, CMBT Police Station,
Chennai - 600 107.
3. The Public Prosecutor,
High Court of Madras.

+1 cc to Mr.K.M.Vijayan, Advocate, S.R.No.93834

Crl.O.P.No.28334 of 2019

RV(CO)
SSM(15/11/2019)



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