



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **N. SESHASAYEE**
Crl.O.P.[MD]No.3415 of 2019

A.Nagarathinam : Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Theni Collector Office Complex,
Theni District.

2.The Sub-Inspector of Police,
Theni Alli Nagaram Police Station,
Theni.

3.R.Chinnaraj

4.Radha : Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the first respondent to give suitable direction to the second respondent to give adequate police protection to the petitioner for laying the drinking water connection to his house bearing Door No.5C and 5E at Machchal 1st Street, Alli Nagaram, Theni, by considering the petitioner's complaint, dated 28.02.2019 within the period as stipulated by this Court.

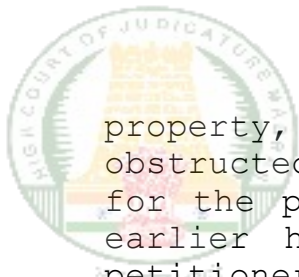
For Petitioner : Mr.A.Haja Mohideen
For R-1 and R-2 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.Side)

ORDER

The present petition is filed to direct the first respondent to give suitable direction to the second respondent to give adequate police protection to the petitioner for laying the drinking water connection to his house bearing Door No.5C and 5E at Machchal 1st Street, Alli Nagaram, Theni, by considering the petitioner's complaint, dated 28.02.2019.

2.Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (Crl Side) appearing for the respondent police.

3.The learned Counsel for the petitioner submitted that for taking drinking water pipe line connection to the petitioner's



property, he has approached the Municipality. But the same is obstructed by the private respondents herein. The learned Counsel for the petitioner further added that the third respondent herein earlier had preferred a suit in O.S.No.40 of 2006 against the petitioner and the Commissioner of Theni Municipality and the same came to be dismissed.

4.Challenging the same, the third respondent had preferred an appeal in A.S.No.97 of 2008 and the same also came to be dismissed. Thereafter, the petitioner has moved this Court in W.P.(MD)No.21753 of 2015 for directing the Commissioner of Municipality to consider his representation for providing water connection and that came to be allowed on 04.12.2015. Thereafter, the Municipality has taken a decision to provide drinking water connection. However, the third and fourth respondents, who continued to obstruct, despite the fact that the third respondent has lost his suit, both before the trial Court as well as the first appellate Court.

5.Inasmuch as the petitioner faces threat and obstruction from the third and fourth respondents, they deserved to grant protection. However, the petitioner is now directed to file a fresh representation and the second respondent is directed to hold such necessary enquiry as may be necessary to consider the prayer of the petitioner. The petitioner is also directed to make available necessary materials sufficient enough for the second respondent to take a decision in the matter.

6.With these observations, the criminal original petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

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To

1.The Superintendent of Police,
Office of the Superintendent of Police,
Theni Collector Office Complex,
Theni District.

2.The Sub-Inspector of Police,
Theni Alli Nagaram Police Station,
Theni.



3.The Government Advocate (Crl.Side),
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.A.HAJAMOHIDEEN, Advocate Sr. No. 52434

Crl.O.P.[MD]No.3415 of 2019
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TR (26.03.2019) 3P 5C