



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD)No.12029 of 2018

WEB COPY

Syed Abdul Khader

...petitioner

-Vs-

1.The Superintendent of Police
Ramanathapuram, Ramanathapuram District

2.The Inspector of Police
Bazaar Police Station,
Ramanathapuram.

3.The Superintending Engineer
Tamil Nadu Electricity Board,
Ramanathapuram.

4.The Assistant Engineer
Tamil Nadu Electricity Board,
North Town Section,
Ramanathapuram.

5.The Commissioner
Ramanathapuram Municipality,
Ramanathapuram Town & District.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the first and second Respondents to grant police protection to demolish the petitioner dilapidated building in Door No.49/1, 2, 3, 4 situated at Agraharam Road, Ramanathapuram Town & District by considering the Petitioner's Representation dated 05.06.2018.

For petitioner
For R1 & R2

: Mr.K.Rajeshwaran
: Mr.K.Suyambulinga Bharathi
Government Advocate(crl.side)

O R D E R

This Criminal Original Petition has been filed to direct the first and second respondents to grant police protection to demolish the petitioner's dilapidated building in Door No.49/1, 2, 3, 4 situated at Agraharam Road, Ramanathapuram Town & District by considering the petitioner's representation, dated 05.06.2018.



2. On the complaint lodged by the petitioner, dated 05.06.2018, the second respondent inspected the petitioner's premises and conducted enquiry and also recommended to the Commissioner, Ramanathapuram Municipality by their communication, dated 26.08.2017.

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3. It is seen that by the order dated 18.09.2017, the petitioner was permitted to demolish the entire building for the reason that it is already in dilapidated condition. The building was occupied by the four tenants. Instead of taking any action to evict the tenants, the petitioner approaching this Court, for seeking police protection. It is seen that some of the tenants also filed the suit in respect of their eviction. Under these circumstances, unless the petitioner evicts the tenants, he cannot demolish the premises. Therefore, the prayer sought for, by the petitioner, seeking police protection cannot be considered. Hence, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

Ls

To

1.The Superintendent of Police
Ramanathapuram.

2.The Inspector of Police
Bazaar Police Station,
Ramanathapuram.

3.The Commissioner
Ramanathapuram Municipality,
Ramanathapuram Town & District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.RAJESHWARAN, Advocate (SR-97261[F] dated 11/11/2019)

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