



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2019

CORAM:

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

Crl.O.P.(MD)No.22353 of 2018

WEB COPY

1.E. Regibert Fernand

2.E. Gretta Villvaraye

... Petitioners

-Vs-

1.The Sub-Divisional Magistrate
Cum Revenue Divisional Officer,
Thiruchendur, Tuticorin District.

2.The Inspector of Police
Thiruchendur Police Station,
Thiruchendur.

3.K. Radhakrishnan

4.P. Kumaresan

5.S. Saravanan

6.R. Jeyasingh

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the second respondent to give adequate police protection for demolition of the petitioners building situated in Natham Survey No.1464/2, bearing D.No.200, North car Street, Tiruchendur Town, Tiruchendur Taluk, Tuticorin District as per the order of the 1st respondent bearing A3/7183/2018 dated 30.11.2018 passed under section 133 Criminal Procedure code.

For petitioners : Mr.M.Gnanagurunathan
For R1 & R2 : Mr.K.Suyambulinga Bharathi
Government Advocate(crl.side)

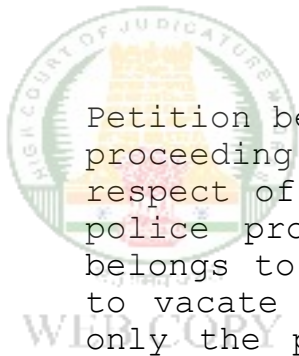
O R D E R

This Criminal Original Petition has been filed to direct the second respondent to give adequate police protection for demolition of the petitioners' building situated in Natham Survey No.1464/2, bearing D.No.200, North car Street, Tiruchendur Town, Tiruchendur Taluk, Tuticorin District as per the order of the first respondent bearing A3/7183/2018 dated 30.11.2018 passed under section 133 of the Criminal Procedure code.

2. Heard both sides.

3. Admittedly, there are tenants in the building. In respect of the demolition of the property, the tenants were filed Writ

<https://hcservices.ecourts.gov.in/hcservices/>



Petition before this Court and the same was dismissed. However, the proceeding is pending before the Revenue Divisional Officer, in respect of demolition of the property. At these circumstances, the police protection cannot be considered to demolish the building belongs to the petitioners. The first petitioner has to take steps to vacate the tenants, who have occupied in the premises and then only the petitioners seek police protection. After vacating the tenants, the petitioners are at liberty to seek necessary police protection.

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

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

Sub Assistant Registrar(CS)

Ls

To

- 1.The Sub-Divisional Magistrate
Cum Revenue Divisional Officer,
Thiruchendur,
Tuticorin District.
- 2.The Inspector of Police
Thiruchendur Police Station,
Thiruchendur.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.GNANAGURUNATHAN, Advocate (SR-99129[F] dated 18/11/2019)

Crl.O.P. (MD)No.22353 of 2018
18.11.2019

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