



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:30.07.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.3142 of 2020

M.C.Subramaniam
Thiruvalluvar House
No.26, Power House Road
Erode-638 001.

...Petitioner

Vs

- 1.The Superintendent of Police
Near Panneerselvam Park
Erode District, Erode-1.
- 2.The Deputy Superintendent of Police
Perundurai, Perundurai Taluk
Erode District.
- 3.The Inspector of Police
Chennimalai Police Station
Perundurai Taluk
Erode District.
- 4.T.Senthilkumar
S/o.Late K.Thangamuthu
No.126-A, Iyyappa Nagar
1st Floor, Chennaimalai-638 051

...Respondent

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents 1 to 3 to give adequate police protection to the petitioner during demolition of Balamurugan Theatre situated at Uppukkadu, Ingur Road, Chennimalai as per his representation dated 25.12.2019 and 05.01.2020.

For Petitioner : Mr.V.Bhiman
For M/s.Sampathkumar and Associates

For Respondents : Mr.S.Karthikeyan for R1 to R3
Additional Public Prosecutor
Mr.D.Balachandran for R4



ORDER

This Criminal Original Petition has been filed seeking for police protection to the petitioner during demolition of the Balamurugan Theatre situated at Uppukkadu, Ingur Road, Chennimalai.

2. On a perusal of records shows that the theatre, named Balamurugan is owned by the petitioner and it is now in the dilapidated condition. Therefore, the petitioner has approached this Court in W.P No.28662 of 2019 seeking direction to the Commissioner of Chennaimalai Panchyat Union to issue demolition order to demolish the Balamurugan Theatre. This Court, by an order dated 14.11.2019 directed the petitioner to proceed further to demolish the building in accordance with law. As per the order passed by this Court, the Commissioner of Chennimalai Panchayat Union passed an order dated 13.11.2019 thereby permitted the petitioner to demolish the Balamurugan Theatre on his own expenses. Now, the 4th respondent being one of the partners of the theatre is objecting the demolition process and as such, the petitioner has sought for police protection to demolish the Balamurugan Theatre. In fact, the 4th respondent is also party to the writ petition in W.P No.28662 of 2019. Though the 4th respondent is one of the partners of the Balamurugan Theatre and the dispute arose between the petitioner and the 4th respondent, now the Balamurugan Theatre is under dilapidated condition and it is very dangerous to the possession of the petitioner and it will any time fell down.

3. Considering the above facts and circumstances, this Court is inclined to direct the 3rd respondent to provide adequate police protection to the petitioner, to demolish the Balamurugan Theatre, forthwith.

4. Accordingly, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar

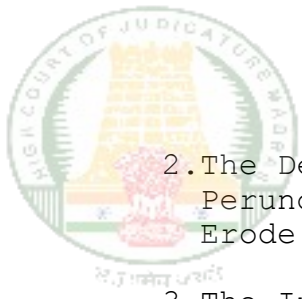
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Sub Assistant Registrar

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To

1.The Superintendent of Police
Near Panneerselvam Park
Erode District, Erode-1.



2.The Deputy Superintendent of Police
Perundurai, Perundurai Taluk
Erode District.

3.The Inspector of Police
Chennimalai Police Station
Perundurai Taluk
Erode District.

4.The Public Prosecutor
High Court of Madras.

+2cc to Sampath Kumar & Associates, S.R.No.25669

Cr1.O.P.No.3142 of 2020

RSV(CO)
KKV/21/08/2020