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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.14800 of 2021

B.Murali Narashiman

... Petitioner/Defacto Complainant

Versus

1. The Commissioner of Police
Coimbatore City
Coimbatore.
2. The Deputy Commissioner of Police
Coimbatore West
Race Course Road
Office of the IG Law & Order
Coimbatore 641 018.
3. The Inspector of Police
Law & Order
E-2 Police Station Selvapuram
Coimbatore 641 026.
- 4.K.Prabhakaran
- 5.S.S.Velmurugan
- 6.V.Veldurai
- 7.Era.Mani

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the third respondent to provide police protection to the petitioners and their family members and their property situated at vacant land to the extent of 2.752 acres in Kumarapalayam Village, Coimbatore South Division in T.S.Nos.2022/3, 2033/2, 2024, 2025/2, 2032/2, New T.S.Nos.500/2, 500/9, 501/2, 501/3 and 539/1. On the basis of the complaint dated 20.07.2021.



For Petitioner : Mr.S.Venkatesh
For Respondents : Mr.R.Vinoth Raja for R1 to R3
Government Advocate (Crl.Side)

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ORDER

This petition has been filed to direct the third respondent to provide police protection to the petitioners and their family members and their property situated at vacant land to the extent of 2.752 acres in Kumarapalayam Village, Coimbatore South Division in T.S.Nos.2022/3, 2033/2, 2024, 2025/2, 2032/2, New T.S.Nos.500/2, 500/9, 501/2, 501/3 and 539/1 on the basis of the complaint dated 20.07.2021.

2. The petitioner sent a representation to the respondent Police stating that they are owning lands to an extent of 2.752 acres in Kumarapalayam Village, Coimbatore South Division, in various survey numbers. The petitioner applied for planning permission to the Town Planning Authority to construct a School, which was rejected. Thereafter, the petitioner had approached this Court and obtained order in his favour. Now, the authorities are ready to issue planning permission and on coming to know about the same, a former MLA is creating obstruction by collecting people and demanding money. On 20.07.2021, respondents 4 to 7 along with others from Selvapuram Lalathottam, Ashok Nagar, Prabhu Nagar and Savithiri Nagar residences had entered into the property of the petitioner and demolished the compound wall and removed the fence claiming that they are going to put up 40 feet road in the petitioner's property. Despite the complaint to the authority, no action has been taken. Hence, the present petition.

3. The learned Government Advocate (Crl.Side) has submitted that he has filed a counter, admitting that the respondent Police received a complaint and they conducted enquiry and also verified relevant revenue records. Further the respondents 4 to 7 are neighboring land owners and they had illegally entered into the petitioner's private property and damaged his compound wall and removed fencing. He further stated that the respondents 4 to 7 were called for enquiry along with relevant documents to substantiate their contention, but they failed to do so. Hence, they warned them and not to interfere with the petitioner's peaceful possession. Thereafter, the respondent police provided protection to the petitioner and also to the petitioner's compound wall area.



4. In view of the same, this Court directs the third respondent Police to provide necessary police protection to the petitioner, his family members and also to the property in dispute as prayed for in this petition.

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

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

dna

To

1. The Commissioner of Police,
Coimbatore City,
Coimbatore.
2. The Deputy Commissioner of Police,
Coimbatore West,
Race Course Road,
Office of the IG Law & Order,
Coimbatore 641 018.
3. The Inspector of Police,
Law & Order,
E-2 Police Station Selvapuram,
Coimbatore 641 026.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Venkatesh, Advocate Sr No.49108

CRL.O.P.No.14800 of 2021

NMI (CO)
PR (12/10/2021)