



Crl.O.P.(MD)No.3723 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.02.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.3723 of 2023

State Express Transport Corporation Tamil Nadu Ltd,
represented by its
Branch Manager S.Perumal

... Petitioner

Vs.

1.The District Superintendent of Police,
Thanjavur,
Thanjavur District.

2.The Inspector of Police,
Thanjavur Police Station,
Thanjavur District.

3.Senguttuvan

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to grant adequate police protection to the properties of the corporation in order to prevent any damages while vacating the third respondent from illegal occupation of the petitioner's premises in Re-survey No.3330, Town Survey No.1471 and 1472 Thanjavur Town, Thanjavur District by considering the representation of the petitioner dated 07.01.2023.



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For Petitioner : Mr.S.C.Herold Singh
For R1 & R2 : Mr.SS.Madhavan
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to grant adequate police protection to the properties of the corporation in order to prevent any damages while vacating the third respondent from illegal occupation of the petitioner's premises in Re-survey No.3330, Town Survey No.1471 and 1472 Thanjavur Town, Thanjavur District by considering the representation of the petitioner dated 07.01.2023.

2. The learned counsel appearing for the petitioner would submit that the third respondent is the licensee under the petitioner for parking slot, that though the original licence period got expired, the third respondent has filed a writ petition and this Court directed the petitioner to consider the third respondent's representation for extension and accordingly, license period was extended by 7 months due to COVID, that subsequently, the third respondent has refused to vacate the



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premises, that the petitioner has again called for tender and some other third party has become a successful bidder, that even thereafter, the third respondent has refused to vacate the premises, that in the meanwhile, the third respondent has filed an interlocutory application in I.A.No.156 of 2021 in O.S.No.219 of 2021 for temporary injunction and the same was dismissed on 22.09.2022 and against the dismissal order, the third respondent has preferred an appeal and the same is pending, but there was no interim order and that the second respondent even after the receipt of the petitioner's representation for police protection, has been delaying the matter by saying civil suit is pending.

3. As rightly contended by the learned counsel appearing for the petitioner, the third respondent has entered into an agreement for getting license of the premises in question and that despite of expiry of the extension period without surrendering the possession, the third respondent has filed a civil suit.

4. The learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that the petitioner's representation is pending before the second respondent.



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5. Recording the submissions made on either sides, the second respondent is directed to consider the petitioner's representation and pass orders within a period of one week from the date of receipt of a copy of this order.

6. With the above direction, this Criminal Original Petition stands disposed of.

27.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

- 1.The District Superintendent of Police,
Thanjavur,
Thanjavur District.
- 2.The Inspector of Police,
Thanjavur Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
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