

In Re: Sadagopa Naidu

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SooperKanoon Citation : sooperkanoon.com/809501

Court : Chennai

Decided On : Mar-25-1948

Reported in : (1948)1MLJ414

Appellant : In Re: Sadagopa Naidu

Judgement :

ORDER

Govinda Menon, J.

1. The parking of buses in sheds built upon private land cannot amount to a public nuisance prima facie. There is no evidence whatever that the act of the petitioner has caused any nuisance to any one and much less to the public at large. There is nothing to show that the members of the public have complained against the petitioner for causing public nuisance. In the absence of any material before it the lower Court was wrong in extending the order under Section 139-A of the Code of Criminal Procedure especially since the preli-minary order under Section 133 of the Code of Criminal Procedure was itself wrong. The petition is allowed.