

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.27292 of 2015

1.R.Saraswathy
2.P.Velvizhi
3.K.Dhanalakshmi
4.S.Kaliammal
5.K.Mariammal
6.J.Chandra

... Petitioners

Vs

1. The Superintendent of Police
Villupuram District

2. The Inspector of Police
B-6, Kandamangalam Police Station
Villupuram District

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondents to give necessary police protection to all the 38 members (as per the allotment order under Na.Ka.A475 of 2001 dated 23.05.2014) with reference to the complaint lodged on 06.07.2015 to the 2nd respondent herein and also on 10.07.2015 to the 1st respondent herein.

For Petitioner : Mr.G.Thangavel

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor.

O R D E R

The present criminal original petition has been filed seeking a direction to the respondents to give necessary police protection to all the 38 members based on the complaints lodged by them on 06.07.2015 to the 2nd respondent herein and also on 10.07.2015 to the 1st respondent herein.

2. In the petition, it has been averred that the Government of Tamil Nadu, in order to provide lands to the women belonging to Thobi and Barbar communities residing in Kandamangalam Village, Villupuram Taluk, has allotted 0.82 acres of vacant land in S.No.85/2, by invoking the provisions of the Land Acquisition Act. The layout prepared by the Special Tahsildar, Land Acquisition, Adi Dravidar Welfare and Scheduled Tribes Welfare was also approved by the District Backward Class and Minority Welfare Officer, Villupuram vide proceedings dated 19.02.2014. Based on the said proceedings of the Special Tahsildar, the District Revenue Officer, Villupuram issued the allotment orders on 23.05.2014 to the eligible persons allotting Plot Nos.1 to 13 and Plot No.15 to 38 in the above said layout. Thereafter, all the 38 members sent a representation to the District Collector on 11.09.2015 requesting him to demarcate the property. Since there was delay on the part of the revenue authorities in demarcating the properties, all the members, who have been allotted with the lands, approached this Court by filing a writ petition in W.P.No.2468 of 2015 and this Court by order dated 03.02.2015 directed the Special Tahsildar, Land Acquisition, Adi Dravidar Welfare and Scheduled Tribes Welfare, Villupuram District to consider petitioners' representations and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of that order. Thereafter, the District Collector has also sent a letter to the first respondent herein to provide police protection to measure the land. The said letter was sent to the first respondent as early as on 10.04.2015. It is contended by the petitioners that when the petitioners tried to clear the bushes to carry out the construction work, one Mr.Ambedkar formed unlawful assembly and raised objection and in spite of the letter sent to the first respondent, the first respondent did not take any action. Hence, all the 38 members once again lodged a complaint before the second respondent on 06.07.2015. Since no action was taken by the second respondent, the petitioners came forward to file the present petition.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor representing the respondents.

4. Considering the rival submissions, this Court directs the petitioners to give a fresh complaint to the first respondent along with a copy of this order within a period of one week from the date of receipt of a copy of this order and on receipt of

the same, the first respondent is directed to consider the same on merits and in accordance with law and pass appropriate orders with regard to providing of police protection to measure the land in the light of the letter addressed by the District Collector dated 10.04.2015.

5. The Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS-III)

True Copy

Sub Assistant Registrar

To

1. The Superintendent of Police
Villupuram District
2. The Inspector of Police
B-6, Kandamangalam Police Station
Villupuram District
3. The Public Prosecutor
High Court, Madras.

+6cc to Mr.G.Thangavel, Advocate sr.62562

Crl.O.P.No.27292 of 2015

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srg 08/12/2015

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