

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.03.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.29253 of 2014 &
M.P.No.1 of 2014

M.Shanmugam

.. Petitioner

Vs.

1.The Inspector of Police
Selaiyur Police Station
Chennai 600 073.

2.G.Elumalai

.. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue Writ of mandamus to direct the first respondent to provide police protection to the petitioner for putting up compound wall in his portion of house property so as to have peaceful, secured and safety life of his family members at Door No.3/103/A, Agaram Main Road, Thiruvancheri, Tambaram, Chennai in the land in his occupation in S.No.84/2, Thiruvancheri Village, Tambaram.

For Petitioner : Mr.Palani Selvaraj

For Respondents : Mrs.P.Rajalakshmi - R1
Government Advocate

सत्यमेव जयते
O R D E R

By consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2.Heard Mr.Palani Selvaraj, learned Counsel appearing for the petitioner and Mrs.P.Rajalakshmi, learned Government Advocate appearing for the first respondent. Though notice has been served on the second respondent and his name is printed in the cause list, none appeared for him.

3.The petitioner seeks for issuance of writ of mandamus to direct the first respondent to provide police protection to him for putting up a compound wall in his portion of house property at Door

No.3/103/A, Agaram Main Road, Thiruvancheri, Tambaram, Chennai in the land in his occupation in S.No.84/2,Thiruvancheri Village, Tambaram.

4.The petitioner states that he is a physically challenged person and a land to an extent of 25 cents comprised in S.NO.84/2, Thiruvancheri village, which is classified as 'Meikkal Poromboke' was said to be in occupation of his uncle Mohan for about 25 years. It is further stated that the second respondent is attempting to interfere with the same and therefore, a Suit was filed by the petitioner and the said Suit was decreed by Judgment and decree dated 21.11.2003. Thereafter, the petitioner is said to be enjoying the property along with his family members. Whiles, when the petitioner attempted to put up a compound wall, the second respondent is said to have objected to the same.

5.Though a notice has been sent to the second respondent through Court, he refused to receive the same. It is seen that the first respondent has received the petitioner's complaint and acknowledged the same by assigning C.S.R.No.1516 of 2014.

6.In the light of the above, there will be a direction to the first respondent to enquire the second respondent and proceed in accordance with law and if there is any interference by the second respondent which is not justified, then appropriate protection shall be given to the petitioner in accordance with relevant Rules. The above direction shall be complied with, within a period of six weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

rpa

WEB COPY

To

1.The Inspector of Police
Selaiyur Police Station
Chennai 600 073.

1 cc to Mr. Palaniselvaraj, Advocate, Sr. 11633
1 cc to Government Pleader, Sr. 11555

W.P. No. 29253 of 2014

SR (CO)
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