

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.35537 of 2015

E.Malick Basha

.. Petitioner

Vs.

1 The Thasildar
Taluk Office,
Thiruvannamalai Taluk,
Thiruvannamalai,
Thiruvannamalai District.

2 The Inspector of Police,
Town Police Station,
Thiruvannamalai,
Thiruvannamalai District.

.. Respondents

Prayer:Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to give adequate police protection to the petitioner on the basis of the petitioner representation dated 20.10.2015.

For Petitioner : Mr.M.Gnanasekar

For Respondents : Mr.P.Sanjay Gandhi
Additional Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2. The present writ petition has been filed seeking a Mandamus directing the second respondent to give adequate police protection to the petitioner on the basis of the petitioner representation dated 20.10.2015.

3. The petitioner herein is residing at No.32, Anna Nagar, 9th Street, Thiruvannamalai and the plot in T.S.No.1797/189 - 1350 sq.ft., land with house built in 248 sq.ft., originally belong to one Rangasamy son of Chinnakannu and Jayalakshmi wife of Rangasamy and by virtue of the assignment dated 30.12.1997 issued by the Government, the said Rangasamy and Jayalakshmi together with their son Prakash and Kalpanadevi executed a registered sale deed on 24.06.2003 in favour of one Uma Maheshwari @ Sayeera daughter of A.M.Gani. Thereafter, the said Sayeera executed a sale deed on 11.05.2005 in favour of Pavuja

Hussain who in turn executed a general Power of Attorney in favour of the petitioner on 06.05.2010. Whiles, the said Rangasamy compelled the petitioner to execute a sale deed in favour of his relative for a lesser price and it was not agreed by the petitioner.

4. It is further stated that the said Rangasamy executed a sale deed again on 23.06.2010 in favour of his relative C.Chinnathambi son of Chinnaian. The said Rangasamy has not right to execute a sale deed as he had already sold the properties on 24.06.2003 in favour of Uma Maheshwari @ Sayeera. He had also instigated Chinnathambi to file suit for permanent injunction in O.S.No.231 of 2010 on the file of the District Munsiff Court at Thiruvannamalai and the same was dismissed on 15.09.2015. In the said circumstances, the said Rangasamy and Jayalakshmi along with their son and daughter had break open the lock of the house and also threatened the petitioner with dire consequences. Hence, the petitioner lodged a complaint to the second respondent seeking police protection and also to take action against the persons who have indulged in acts of criminal intimidation and the said complaint has not been considered so far. Hence, the petitioner came forward to file this writ petition.

5. Heard the submissions of the learned counsel appearing for the petitioner and the learned Additional Government Pleader.

6. Considering the factual aspects and without going into the merits of the claim projected by the petitioner, this Court directs the second respondent to consider the petitioner's representation dated 20.10.2015 on merits and in accordance with law after affording an opportunity of hearing to all the necessary parties and pass appropriate orders with regard to the providing of adequate police protection to the petitioner within a period of two weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of accordingly. No costs.
Pri

Sd/-

Assistant Registrar (IV)

/True Copy/

Sub-Assistant Registrar

To

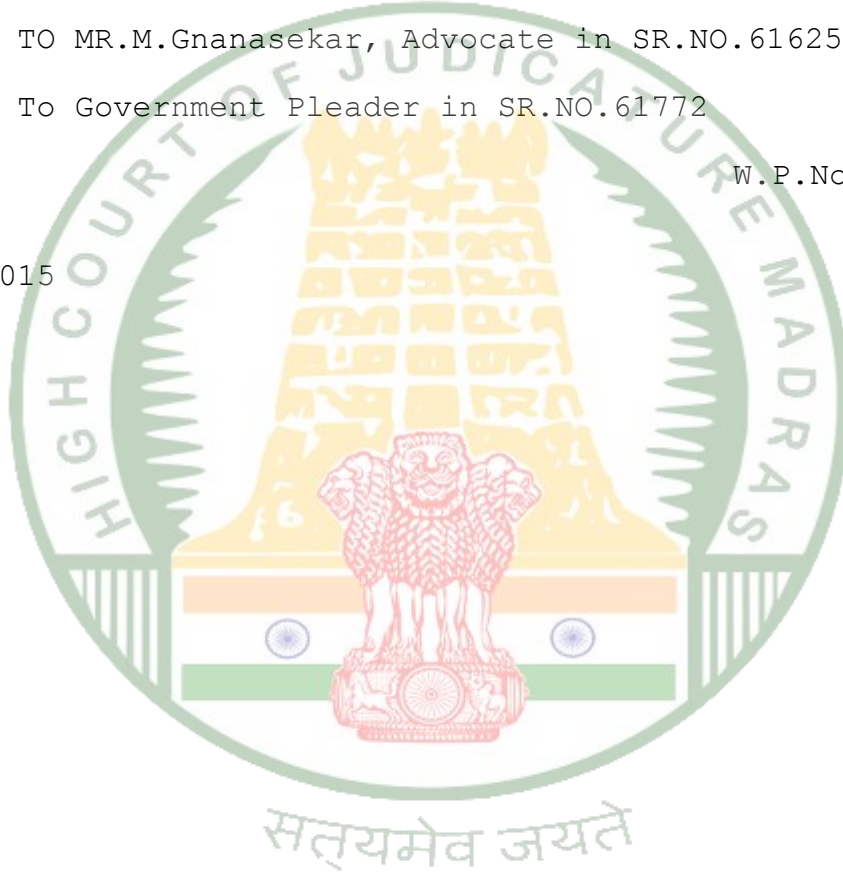
- 1 The Thasildar
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Thiruvannamalai District.
- 2 The Inspector of Police,
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+1 C.C. TO MR.M.Gnanasekar, Advocate in SR.NO.61625

+1 C.C. To Government Pleader in SR.NO.61772

W.P.No.35537 of 2015

TM(CO)
sd : 26/11/2015



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