

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2015

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.38591 of 2015

R.Jayaraman

... Petitioner

Vs

1. The Deputy Superintendent of Police,
Chidambaram Taluk,
Cuddalore District.

2. The Inspector of Police,
Killai Police Station,
Killai Post,
Chidambaram Taluk,
Cuddalore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a direction to the respondents to consider the representation dated 23.09.2015 submitted by the petitioner and to provide police protection to the petitioner to reach the leased out premises in Doc.No.1598/2015 dated 16.09.2015 comprised in S.No.243/1 & 243/5, Killai Village, Chidambaram Taluk, Cuddalore District.

For Petitioner : Mr.G.Sankaran

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

O R D E R

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This Writ Petition is filed seeking a direction to the respondents to consider the petitioner's representation dated 23.09.2015 and to provide police protection to him to reach the leased out premises in Doc.No.1598/2015 dated 16.09.2015 comprised in S.No.243/1 & 243/5, Killai Village, Chidambaram Taluk, Cuddalore District.

2. In the affidavit accompanying the petition, the petitioner has stated that the land in S.Nos.243/1 & 243/5, Killai Village, Parangipettai Sub Registrar Office, Chidambaram Taluk to an extent of 62 ares originally belonged to Thiru.Meeran Sahib and it was his ancestral property. Thiru.Meeran Sahib established a Trust in the name of Ameer Peer Dargah and appointed his son Syed Hussain Badsha as Muthavalli Trustee to manage the Dharga and Trust properties in the manner to the benefit of Dharga as per Document No.189/1956 registered on 30.01.1956 in SRO, Parangipettai. Accordingly, Thiru. Syed Hussain Badsha became the Muthavalli Trustee and the Management of Trust properties including the land in S.No.243/1 and 243/5 Killai Village to an extent of 62 ares.

3. The petitioner, who is a philanthropist, extended financial aid to the Dharga and over the period, the Muthavalli Trustee Syed Hussain Badsha gained confidence over the petitioner to lease out the subject land in S.Nos.243/1 & 243/5, Killai Village belonging to the Trust for consideration to ensure income and receipts of the Trust to its benefit. Accordingly, the Muthavalli Trustee Thiru. Syed Hussain Badsha executed a registered Lease Deed in Document No.1598 of 2015 dated 16.09.2015 leasing out the property in S.Nos.243/1 & 243/5, Killai Village to an extent of 62 ares on long term basis in his favour through his Power Agent Tmt.K.Selvapriya for the lease rent of Rs.20 lakhs and on receipt of the advance of Rs.5 lakhs.

4. The grievance of the petitioner is that, after the registration of the lease deed, when he went to the subject land in S.Nos.243/1 and 243/5, Killai Village to replenish the property, suddenly one Mohamed Hussain, S/o.Mohamed Yousuff and others entered into the leased out premises and started to attack him on the premises as to how the petitioner, being a resident of some other place, can purchase property in Killai Village and threatened him with dire consequences. Thereafter, the petitioner was virtually attacked by unscrupulous persons who attempted to kill him with aruval in order to chase him away from the land. Hence, the petitioner lodged a complaint to the 1st respondent seeking action against the offenders and to provide him police protection. Since no action was taken on his complaint, the petitioner, having no other alternative, has come up with the present Writ Petition.

5. Heard the learned counsel for the petitioner as also the learned Additional Public Prosecutor for the respondents.

6. Without going into the merits of the case, this Court feels it appropriate to direct the petitioner to give a fresh

complaint to the respondent police along with a copy of this order and upon receipt of the same, the respondent police is directed to consider the petitioner's representation as regards providing police protection to him, after affording an opportunity of personal hearing to the necessary parties and pass appropriate orders within a period of two weeks from the date of receipt of a copy of this order.

This Writ Petition is disposed of with the above direction.

Sd/
ASSISTANT REGISTRAR (CS-IV)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

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To :

1. The Deputy Superintendent of Police,
Chidambaram Taluk,
Cuddalore District.
2. The Inspector of Police,
Killai Police Station,
Killai Post,
Chidambaram Taluk,
Cuddalore District.

+1 CC to MR.G.Sankaran Advocate. SR.NO. 66300

सत्यमेव जयते

W.P.No.38591 of 2015

CO-LRS
JD 23/12/2015

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