

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

WP.No.39569 of 2015

A.Shanbagavalli

... Petitioner

Vs

1.The District Collector,
O/o.Villupuram District Collector,
Villupuram.

2.The Superintendent of Police,
Villupuram,
Villupuram District.

3.K.Durairaj

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of MANDAMUS directing the respondents 1 and 2 to protect petitioner life and petitioner family members and living right in her residence at 248-A, Tamil Thai Street, East VGP Nagar, Salamedu, Villupuram Taluk & District-605 401.

For Petitioner : Mr.D.Bharathy

For Respondents : Mr.P.Sanjay Gandhi,
AGP [for R1,R2]

O R D E R

This writ petition has been filed seeking Writ of Mandamus directing the respondents 1 and 2 to protect petitioner life and petitioner's family members and living right in their residence at 248-A, Tamil Thai Street, East VGP Nagar, Salamedu, Villupuram Taluk & District-605 401.

2. The petitioner belongs to Scheduled Caste. Her mother is aged about 85 years. The petitioner is having two children, one son aged about 15 years and one daughter aged

about 14 years. The petitioner is having a house in Survey No.15/1, 2, 3 and 17/2 and 3, Natham Puromboke land. The petitioner has paid all the Revenue Gisti to the Department. While so, during the month of April, 2015 one Durai Raj, the third respondent herein, came along with rowdy elements and damaged the property of the petitioner and threatened the petitioner and her family members with dire consequences. The said Durai Raj also damaged the property of the petitioner and looted all the things in her house. Immediately, the petitioner lodged a complaint before the Inspector of Police, Taluk Police Station, Villupuram and no action was taken on the said complaint. But the third respondent has lodged a false complaint against the petitioner before the Land Grabbing Cell. On the said complaint, enquiry was conducted and a direction was given to the land surveyor to inspect the property and pass necessary orders. But the third respondent has not given any response to the said direction.

3. During the month of August, 2015, the third respondent again came to house of the petitioner along with 20 rowdy elements and once again looted all the things in the house of the petitioner and put the petitioner's family in the street. Immediately, the petitioner lodged a complaint before the respondent police, but no action has been taken on the said complaint. Hence the petitioner filed Criminal Original Petition No.22403 of 2015 and as per the directions of this court, a case was registered in Crime No.571 of 2015 for the offences under sections 147, 294(b), 323, 427, 379, 506(i) and 3 (i) of SC/ST Act. Now the petitioner is receiving threat from the third respondent. Hence the petitioner has submitted representation on 02.11.2015 for police protection for the petitioner and her family members. But the same was not considered. Hence, she has come forward with the present Writ Petition.

4. In view of the order that is going to be passed in this Writ Petition, there is no need to issue notice to the respondents.

5. Without going in to the merits of the petition, this court directs the second respondent to consider the representation of the petitioner dated 02.11.2015, in accordance with law, by providing personal hearing to the petitioner as well as to other necessary parties and pass appropriate orders on merits within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition is disposed of accordingly.

sd/-
Assistant Registrar (Cs-III)

/TRUE COPY/

Sub-Assistant Registrar

vrc

To

1.The District Collector,
O/o.Villupuram District Collector,
Villupuram.

2.The Superintendent of Police,
Villupuram,
Villupuram District.

+1 CC to MR.D.Bharathy Advocate. SR.NO.69228
+1 CC to Govt.Pleader. SR.NO. 69727

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CO-PA
JD 21/01/2016



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