

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.05.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

Writ Petition No.18408 of 2016
and
W.M.P.No.16107 of 2016

K.Ramaswamy

... Petitioner

Vs.

1.The Superintendent of Police,
Coimbatore District Police (Rural)
Coimbatore.

2.The Inspector of Police,
KG Chavadi Police Station,
Madhukkarai,
Coimbatore District.

3.The Sub-Inspector of Police,
KG Chavadi Police Station,
Madhukkarai,
Coimbatore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of writ of mandamus directing the respondents herein to provide sufficient police protection to the petitioner's person and property situate at Coimbatore Registration District, Coimbatore Sub-Registration District, Coimbatore Taluk, Ettimadai Village, Patta No.137, in SF.No.574/2 Ac 0.40 within entire Ac 5.13 and in SF.No.572/3 entire Ac 0.86 together with passages, based on the representation made vide complaint dated 18.05.2016, which is registered as CSR.No.49/2016, on the file of the respondents 2 and 3 herein.

For Petitioner : Mr.D.Ravichander

For Respondents: Mr.P.Chinnadurai
Government Advocate

O R D E R

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

2. The petitioner along with G.Sivasamy had filed O.S.No.213 of 2016 on the file of Vacation Civil Judge (Court

of District Munsif), Coimbatore praying for judgment and decree for permanent injunction restraining the defendants viz., Tvl. K.Ramasamy, R.Mylathal, Ganesan, Shanthi, R.Rasathal, R.Kumar and R.Ananthi from interfering with his peaceful possession and enjoyment of the suit property to the extent of 0.40 acres in Survey No.574/2 and 0.86 acres in Survey No.572/3 at Ettimadai Village, Coimbatore and pending disposal of the suit, filed I.A.No.365 of 2016 praying for an order of ad-interim injunction and the lower Court vide order dated 11.05.2016 after recording reasons, had granted an order of ad-interim injunction till 04.06.2016. The apprehension expressed by the petitioner is that despite the subsistence of the said interim order, the above said respondents/defendants attempted to commit trespass on the property and also threatened the petitioner with dire consequences and in this regard, the petitioner has given a complaint dated 18.05.2016 praying for appropriate protection for his life and property and since no order has been passed, came forward to file this writ petition.

3. Mr.D.Ravichander, the learned counsel appearing for the petitioner would submit that along with the complaint dated 18.05.2016 submitted to the third respondent, the petitioner has also enclosed xerox copy of the interim orders passed by the Vacation Civil Judge, Coimbatore in I.A.No.365 of 2016 in O.S.No.213 of 2016 and inspite of it, no response is forthcoming and therefore, the petitioner is constrained to approach this Court.

4. This Court heard the submission of Mr.P.Chinnadurai, learned Government, who accepts notice on behalf of the respondents.

5. Though the petitioner prayed for the larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the same, directs the respondents to consider the complaint/ representation dated 18.05.2016 on merits and in accordance with law and pass orders as expeditiously as possible on or before 09.06.2016 and communicate the decision taken, to the petitioner after providing an opportunity of personal hearing.

The Writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vsm/va

To

1.The Superintendent of Police,
Coimbatore District Police (Rural)
Coimbatore.

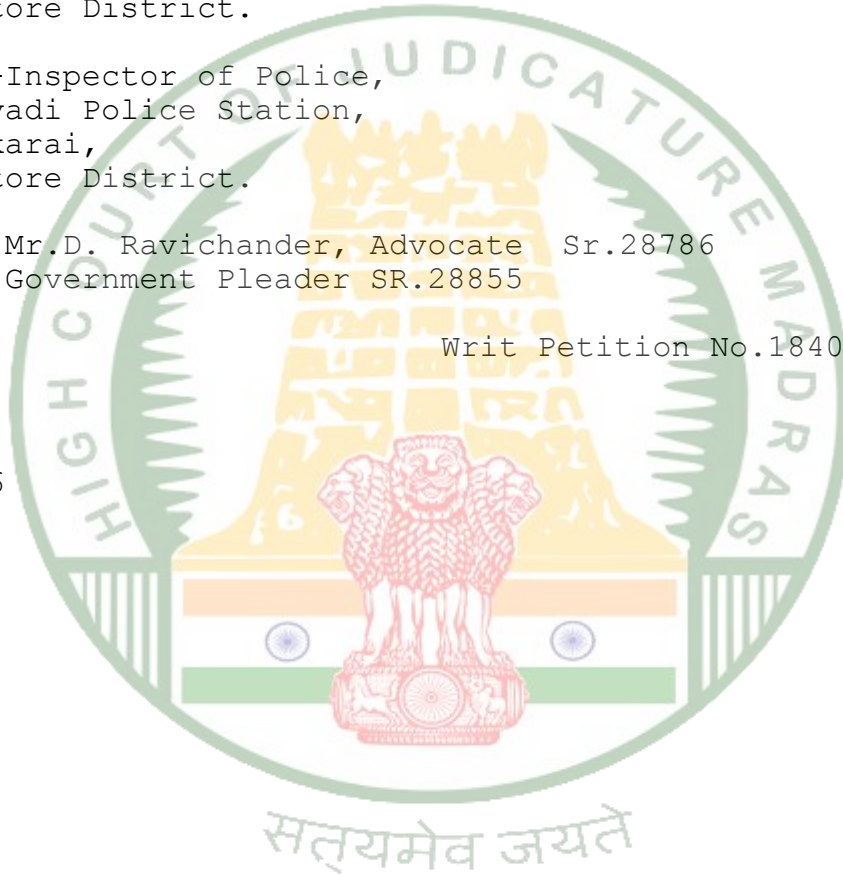
2.The Inspector of Police,
KG Chavadi Police Station,
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Coimbatore District.

3.The Sub-Inspector of Police,
KG Chavadi Police Station,
Madhukkarai,
Coimbatore District.

+ 1 cc to Mr.D. Ravichander, Advocate Sr.28786
+ 1 cc to Government Pleader SR.28855

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NM(CO)
Eu 06.6.16



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