

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

WP No.28787 of 2016

N.Ponnusamy .. Petitioner
Vs

1. The District Collector,
Salem.
2. The Superintendent of Police,
Salem.
3. The Deputy Superintendent of Police,
Attur Taluk & Post,
Salem District.
4. The Inspector of Police,
Thalaivasal Police Station,
Attur Taluk & Post,
Salem District.
5. P.Subramani .. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the 4th respondent herein to conduct enquiry and register a case against 5th respondent based on the petitioner's representation dated 03.08.2016.

For Petitioner : Mr.A.Rajakumar
For R1 : Mr.R.Sanjay Gandhi,
Addl.Government Pleader

ORDER

This petition has been filed to direct the 4th respondent herein to conduct enquiry and register a case against the 5th respondent based on the petitioner's representation dated 03.08.2016.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the first respondent.

3. It is seen that this petitioner had filed WP No.25776 of 2016, alleging that respondents 5 to 10 therein had

encroached the odai situate in survey nos.599, 603, 604, on account of which, there is inundation and floods during rainy season.

4. When WP No.25776 of 2016 came up for hearing before a Division Bench of this Court, the Division Bench by order dated 25.07.2016 has disposed of the writ petition directing the official respondents 1 to 4 therein to consider the representation given by the petitioner after giving opportunity of hearing to the petitioner as well as the respondents 5 to 10 and pass the appropriate orders in accordance with law, to remove the encroachment, if any, in the odai land.

5. It is seen that the said writ petition was filed by the present petitioner, wherein also the 5th respondent herein was the 5th respondent .

6. In this regard, the petitioner has sent a complaint dated 03.08.2016 by post to the 4th respondent.

7. Under such circumstances, the petitioner is directed to appear in person before the 4th respondent police along with a copy of this order and lodge a fresh complaint, containing the very same contents as stated in the previous complaint dated 03.08.2016. On receipt of such complaint, the same shall be enquired into and action be taken thereon in accordance with law, to protect the petitioner and his family members, so that no harm befalls them.

7. With the above direction, this writ petition is closed.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

To

1. The District Collector, Salem.
2. The Superintendent of Police, Salem.
3. The Deputy Superintendent of Police,
Attur Taluk & Post, Salem District.
4. The Inspector of Police,
Thalaivasal Police Station,
Attur Taluk & Post, Salem District.

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