



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2016

WEB COPY

C O R A M

THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN

W.P. (MD) No. 19371 of 2016

and

W.M.P. (MD) No. 13963 of 2016

SP. Ramachandran

.. Petitioner

Vs.

1. The Superintendent of Police,
Pudukottai District, Pudukottai.
2. The Inspector of Police,
Thirumayam Police Station,
Thirumayam, Pudukottai District.
3. The Executive Engineer (O&M),
Tamil Nadu Generation & Distribution Corporation Ltd.,
Tamil Nadu Electricity Board, Thirumayam,
Pudukottai District.
4. The Assistant Engineer (O & M),
Tamil Nadu Generation & Distribution Corporation Ltd.,
Tamil Nadu Electricity Board, Ramachandrapuram,
Thirumayam Taluk, Pudukottai District.
5. Adaikkappan
6. Kainappan
7. Murugan

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to give adequate police protection to the petitioner to fencing his property situated in Survey No. 345/5 at Thirumayam Village and Taluk, Pudukottai District and to remove the illegal obstruction made by the respondents 5 to 7 therein and consequently direct the respondents 3 and 4 to disconnect and remove the Electric connection illegally obtained by the fifth respondent in the above mentioned petitioner's land.

For Petitioner

: Mr. M. Saravanakumar

<https://hcservices.ecourts.gov.in/hcse/Piece1> & R-2

: Mr. J. Gunaseelan Muthiah
Government Advocate

For R-3 & R-4

: Mr. S. Dhayalan

**O R D E R**

This Writ Petition has been filed seeking a direction to the respondents 1 and 2 to give adequate police protection to the petitioner to fence his property situated in Survey No.345/5 at Thirumayam Village and Taluk, Pudukottai District and to remove the illegal obstruction made by the respondents 5 to 7 therein and consequently direct the respondents 3 and 4 to disconnect and remove the Electric connection illegally obtained by the fifth respondent in the above mentioned petitioner's land.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 and 2 and the learned counsel appearing for the respondents 3 and 4.

3. The petitioner filed an application before the first respondent for giving police protection to remove the illegal obstruction made by the respondents 5 to 7 therein. Earlier, the petitioner filed an application before this Court in CrI.O.P.(MD) No.16198 of 2016 seeking police protection and claiming that there is a property dispute between the petitioner and the respondents 5 to 7 and they are threatening with rowdy elements and this Court by an order dated 01.09.2016, directed the second respondent to consider the representation and pass orders. Subsequently, since no orders have been passed, the petitioner has filed the Writ petition.

4. Today, the learned counsel for the second respondent submitted that already the second respondent conducted the detailed enquiry and passed orders on 25.09.2016, directing the petitioner to approach the Civil Court.

5. In the above circumstances, the Writ petition is dismissed with liberty to the petitioner to challenge the order passed by the second respondent. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/
Assistant Registrar(A.E)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Superintendent of Police, Pudukottai District, Pudukottai.
2. The Inspector of Police, Thirumayam Police Station,
Thirumayam, Pudukottai District.

+1cc to M/S.M.Saravanakumar, Advocate in SR.No.59012.

+1cc to Special Government Pleader, in SR.No.59529.

W.P. (MD) No.19371 of 2016
and W.M.P. (MD) No.13963 of 2016
05.10.2016