



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2016

CORAM:

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P(MD) No.19456 of 2016

K.Alagan

... Petitioner

-vs-

1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai.

2.The Inspector of Police,
Usilampatti Town Police Station,
Usilampatti, Madurai District.

3.S.Alagu

... Respondents

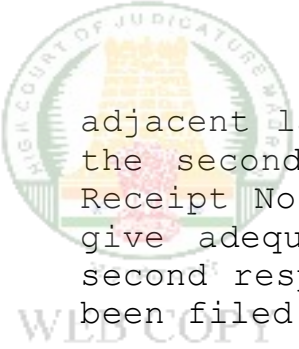
Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents to give an adequate police protection against P.Alagu, S/o.Paraman to construct a new house instead of damaged house in the survey No.9/7B1B, Plot No.26 with extent of 3 cents, Vadugapatti Village, Usilampatti Taluk, Madurai District, on the basis of the petitioner's complaint given to the 1st respondent on 11.07.2016 to the petitioner.

For Petitioner : Mr.V.Baskaran
For Respondents : Mr.K.P.Krishna Doss
Government Advocate

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to give an adequate police protection to the petitioner to construct a house in survey No.9/7B1B, Plot No.26 with extent of 3 cents, Vadugapatti Village, Usilampatti Taluk, Madurai District, on the basis of the petitioner's complaint given to the 1st respondent on 11.07.2016.

2. The case of the petitioner is that he has been issued a free house site patta by the Tahsildar by the Adi Dravida Welfare Department dated 24.11.1992. Subsequently, he constructed a house and he was residing therein. Since the concrete roof of his house was damaged, he started to build a new house and at that juncture, the third respondent herein, who is the



adjacent landowner was disturbing him. So, he gave a complaint to the second respondent on 31.05.2016 and he was also issued CSR Receipt No.155 of 2016 and thereafter he gave a representation to give adequate police protection on 11.07.2016. But so far, the second respondent has not acted, so the present writ petition has been filed.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the State.

4. The learned Government Advocate, on instructions, would submit that the petitioner and the third respondent are claiming right over the property in dispute for which a proceedings under Section 145 Cr.P.C., has been invoked and now the matter is pending before Revenue Divisional Officer, Usilampatti.

5. However, considering the submission made by the learned counsel for the petitioner and the limited prayer sought for in this petition, the second respondent is directed to consider the representation of the petitioner dated 11.07.2016 and pass orders on merits and in accordance with law, as expeditiously as possible, preferably, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No Costs.

Sd/-
Assistant Registrar(CS II)

/True copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai.

2.The Inspector of Police,
Usilampatti Town Police Station,
Usilampatti, Madurai District.

+1cc to special Government Pleader SR.No.64770

pjl

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W.P(MD)No.19456 of 2016
01.11.2016