



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2016

CORAM:

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P(MD) No.23144 of 2016

Mohammed Abubacker Siddick

... Petitioner

-vs-

1.The Superintendent of Police,
Ramanathapuram.

2.The Deputy Superintendent of Police,
Thiruvadanai,
Ramanathapuram District.

3.The Inspector of Police,
Thirupalaikudi,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, to direct the respondents 1 and 2 to give police protection to life and property of the petitioner, more particularly to put up a fence in the petitioner's property comprised in Survey No.206/5 in Keelasendaneandhal Village, Chitturvadi Panchayat, Rajasingamangalam, Ramanathapuram District, to the length of 101.4 Meter East to West and breadth of 24 Meter North to South and pass such further orders.

For Petitioner : Mr.C.Muthusaravanan

For Respondents : Mr.K.P.Krishna Das
Government Advocate

O R D E R

The writ petition is filed for issuance of Writ of Mandamus to direct the respondents 1 and 2 to give police protection to the life and property of the petitioner, comprised in Survey No.206/5 in Keelasendaneandhal Village, Chitturvadi Panchayat, Rajasingamangalam, Ramanathapuram District.

2.Mr.C.Muthusaravanan, learned counsel appearing for the petitioner would submit that the petitioner purchased 1.91 acres comprised in Survey Nos.206/4 and 206/5 in Keelasendaneandhal Village, Chitturvadi Panchayat, Rajasingamangalam, Ramanathapuram District, by a registered sale deed, dated 22.12.2011; since then, he has been in possession and enjoyment of the property; the petitioner has developed a Coastal Aqua Culture Farm in the name and style of 'Rasi & Mass Prawn Farm', which was also registered with the Coastal Aqua Culture Authority, an Government of India undertaking.



3.It is further submitted that some of the villagers in Chitturvadi Village in order to grab the petitioner's property, are claiming pathway right in the patta land of the petitioner; the petitioner has fenced his entire property, except at the length of 101.4 Meter East to West and breadth of 24 Meter North to South to protect the Aqua Farm. Since, there was a disturbance from the villagers, while fencing that area, the petitioner sent representations, dated 04.11.2016, 14.11.2016 and 21.11.2016 seeking police protection. Since, no order was passed, he has come forward with the present writ petition.

4.The learned Government Advocate, on instructions, would submit that the 3rd respondent has received the representation on 29.11.2016 and also issued receipt bearing No.214/16. The surveyor has issued notice to the parties to survey the land and the date was also fixed on 03.12.2016 and on that date, the 3rd respondent would provide protection and based on the survey report, the 3rd respondent would consider the request of the petitioner.

5.Recording the above submissions, the writ petition is closed. No costs.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To:

- 1.The Superintendent of Police, amanathapuram.
- 2.The Deputy Superintendent of Police, Thiruvadanai,
Ramanathapuram District.
- 3.The Inspector of Police, Thirupalaikudi,
Ramanathapuram District.

+1cc to M/s.C.Muthu Saravanan, Advocate in SR.74466
+1cc to the Special Government Pleader, in SR.74233

W.P. (MD) No.23144 of 2016
30.11.2016

er.

PBK/CK/SAR-I 01/12/2016 ::2P-6C: