



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2017

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THE HON'BLE MR.JUSTICE P.N.PRAKASH

W.P.(MD) No.23131 of 2016

Rajesh Kumar

... Petitioner

-vs-

1. The Revenue Divisional Officer,
Padmanabhapuram,
Kanyakumari District.

2. The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.

3. Joice

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the respondents 1 and 2 to consider the representation of the petitioner dated 31.12.2015 and 27.10.2016.

For Petitioner : Mr.K.P.Narayanakumar
For R1 & R2 : Mr.T.S.Mohammed Mohideen,
Addl. Govt. Pleader

O R D E R

This petition has been filed for a direction to the respondents 1 and 2 to consider the representation of the petitioner dated 31.12.2015 and 27.10.2016.

2. When the matter was taken up for hearing, the Inspector of Police, Thiruvattar Police Station, Kanyakumari District has filed a counter affidavit, wherein in Paragraph No.9, it is stated as follows:

"9.I respectfully submit that my enquiry on the matter very clearly revealed the fact that neither the 3rd respondent herein nor anybody for her behalf attempted to demolish the alleged graves in the above said property at any point of time as alleged in the petition and further the 3rd respondent herein or the original owners of the said property has never prevented the petitioner herein from observing the yearly ritual formalities or tribute over the alleged graves."



3. Recording the same, this petition is closed with liberty to the petitioner to work out his remedy before the Civil Forum, as and when there is any interference by the 3rd respondent. No costs.

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Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To:

1. The Revenue Divisional Officer,
Padmanabhapuram,
Kanyakumari District.
2. The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.

+1CC to M/S.K.P.Narayana Kumar, Advocate, SR.No. 15236

+1CC to the Special Government Pleader SR.No. 14730

W.P.(MD) No.23131 of 2016

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AM/SV MMS/28.03.2017/2P/5C