



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 15.03.2017

CORAM :

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

W.P (MD) No. 4453 of 2016

and

W.M.P. (MD) .No. 1203 of 2017

1. L.Narayanan
2. L.Somasundaram
3. L.Lakshmanan @ Thirunavukarasu
4. L.Singaram @ Ramanathan

1 to 4 represented by the power of attorney

Agent RM.Subramanian.

... Petitioners

Vs.

1. The Superintendent of Police,
Pudukottai,
Pudukottai District.
2. The Inspector of Police,
Ponnamaravathy Police Station,
Ponnamaravathy,
Pudukottai District.
3. Sri Poomarathu Karpaka
Vinayagar Sudrula Car Van Ottunar
Urimaiyalar Sangam,
represented by its Secretary,
Poomarathadi, Ponnamaravathi,
Pudukottai District.

(R3 impleaded as per order dated

15.03.2017 in W.M.P. (MD) .No. 1202 of 2017)

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to provide adequate police protection to construct a compound wall over the area fenced comprised in Survey Nos. 840, 841, 842, 843, 844, 845 and 846 of Ponnamaravathy Village, Ponnamaravathy Taluk, Pudukottai District as per the order dated 13.04.2009 in E.A.No.11 of 2003 in E.P.No.5 of 2001 in O.S.No.85 of 1985 on the file of the District Munsif Court, Thirumayam, Pudukottai District.

For Petitioners : Mr.D.Parisuthanathan

For Respondents : Mr.T.S.Mohammed Mohideen

Additional Government Pleader

O R D E R

The writ petition has been filed for a writ of Mandamus directing the respondents to provide adequate police protection to construct a compound wall over the area fenced comprised in Survey Nos.840, 841, 842, 843, 844, 845 and 846 of Ponnamaravathy Village, Ponnamaravathy Taluk, Pudukottai District, as per the order dated 13.04.2009 in E.A.No.11 of 2003 in E.P.No.5 of 2001 in O.S.No.85 of 1985 on the file of the District Munsif Court, Thirumayam, Pudukottai District.

2. It is the case of the petitioners that they are the owners of the property in Survey Nos.840, 841, 842, 843, 844, 845 and 846 of Ponnamaravathy Village, Ponnamaravathy Taluk, Pudukottai District and that when they wanted to fence the property, a group of persons claiming themselves to be Members of the Sri Poomarathu Karpaka Vinayagar Sudrula Car Van Ottunar Urimaiyalar Sangam are preventing the petitioners from putting up a fence around the property on the ground that they are using the property for parking their cars and vans. In this regard, the petitioners have given representations dated 11.08.2014 and 03.10.2015.

3. This Court finds that the two representations have become stale and it is not known whether the dispute is still alive. Therefore, this writ petition is closed with liberty to the petitioners to give a fresh representation to the Inspector of Police, Ponnamaravathi Police Station, Pudukottai District within one week from the date of receipt of a copy of this order and on such representation being given, the Police is directed to conduct enquiry by calling both the parties and if it is found that the Members of the said Association are illegally preventing the petitioners from enjoying the property, it is needless to state that the police should give protection to the petitioner. No costs. Consequently, the connected W.M.P. Is closed.

Sd/-
Assistant Registrar(CS II)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Pudukottai,
Pudukottai District.



2. The Inspector of Police,
Ponnamaravathy Police Station,
Ponnamaravathy,
Pudukottai District.

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+2cc's to M/s.D.PARISUTHANATHAN, Advocate, in SR No.14859
+1cc to Special Government Pleader, Sr.No. 15086

AKV

AAM-SV MMS/17.03.2017 3P-6c

W.P (MD) No.4453 of 2016
15.03.2017