



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2018

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THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P. (MD) No.23 of 2018

K.Rajendran

... Petitioner

-Vs-

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 3.The Tahsildar,
Thiruvadanai Taluk,
Ramanathapuram District.
- 4.The Deputy Superintendent of Police,
Thiruvadanai Police Division,
Ramanathapuram District.
- 5.The Inspector of Police,
Thondi Police Station,
Ramanathapuram District.
- 6.V.Kottudhurai
- 7.K.Dharmaraj
- 8.K.Sakthi
- 9.K.Raja
- 10.K.Muneeswaran
- 11.K.Nallamuthu
- 12.D.Santhanam
- 13.D.Mani
- 14.V.Nagaraj
- 15.V.Panchatcharam
- 16.A.Neelakandan
- 17.V.Balasubramaniyan

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondent to give police protection for the petitioner's limbs and life and family members, by considering the petitioner's complaint dated 24.12.2017.



For Petitioner : Mr.S.Muthukumar

For RR 1 to 5 : Mr.B.Bhagawathi
Government Advocate

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O R D E R

This petition has been filed to direct the 5th respondent/Inspector of Police to give police protection to the petitioner's life and limbs and his family members.

2.Heard, Mr.S.Muthukumar, learned counsel appearing for the petitioner and Mr.B.Bhagawathi, learned Government Advocate appearing for the respondents 1to 5.

3.The learned counsel appearing for the petitioner has submitted that the petitioner was serving as Ward Councilor at Ward No.3, Thondi Municipality, Ramanathapuram District. He further submitted that the respondents 6 to 17 have encroached the kadarkarai poramboke and hence the petitioner has filed a Public Interest Litigation before this Court, in W.P.(MD)No.23226 of 2017, to remove the encroachment. This Court also passed an order dated 20.12.2017, to remove the encroachment. He further submitted that in pursuance of the said order the Government has granted some other alternative place to the respondents 6 to 17. Thereupon, they have vacated the encroached area, but, subsequently, they again tried to encroach the same area. Hence the petitioner gave a representation before the concerned authorities, to remove the said encroachment and aggrieved by the same the respondents 6 to 17 are giving life threat to the petitioner. Hence the petitioner gave a complaint before the 5th respondent on 24.12.2017. But, sofar, no action has been taken.

4.The learned Government Advocate appearing for the respondents 1 to 5 has submitted that after receipt of that complaint C.S.R.No.172 of 2018 has been issued and enquiry is still pending.

5.Considering the aforesaid submissions, the 5th respondent is directed to expedite the enquiry and if the enquiry reveals any cognizable offence, then he has to register a case and proceed in accordance with law and also consider the petitioner's request with regard to giving police protection and pass appropriate orders.



6. With the above observations, this Writ petition is disposed of. No costs.

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/True Copy/

Sd/-

Assistant Registrar (CSIII)

Sub-Assistant Registrar

To

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.
2. The Superintendent of Police,
Ramanathapuram District, Ramanathapuram.
3. The Tahsildar,
Thiruvadanai Taluk, Ramanathapuram District.
4. The Deputy Superintendent of Police,
Thiruvadanai Police Division,
Ramanathapuram District.
5. The Inspector of Police,
Thondi Police Station, Ramanathapuram District.

+One cc to Mr. S. Muthukumar, Advocate, SR.No.46491

+One cc to The Special Government Pleader, SR.No.46598

das/cp

RL/8C/3P/SV/MMS/SAR4/15/2/2018

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