



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.19196 of 2018

M.Justin Prakash

... Petitioner

Vs.

1. The Tahsildar,
Taluk Office,
Kodaikanal,
Dindigul.
2. The Superintendent of Police,
Dindigul.
3. The Deputy Superintendent of Police,
Kodaikanal,
Dindigul District.
4. The Inspector of Police,
Kodaikanal Town Police Station,
Dindigul District.
5. Sandhanadurai

... Respondents

Prayer: This Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 to 4 to provide protection to the petitioner and his family for our life and to construct compound wall in his patta land at T.S.No.9/2, ward-B, Block-10 in Kodaikanal Town, Dindigul District based on the report submitted by the first respondent in Na.Ka.No.3255/2018/S dated 31.07.2018.

For Petitioner : Mr.N.Mohan
For R1 to R4 : M/s.B.Bhagawathi
Government Advocate

ORDER

This writ petition has been filed to direct the respondents 2 to 4 to provide protection to the petitioner and his family.

<https://hcservices.ecourts.gov.in/hcservices/>

2.It is the case of the petitioner that the petitioner is the



owner of the property. The fifth respondent was attempting to encroach upon a Government land, which is situated at T.S.No.8. For that purpose, the fifth respondent is attempting to use the land of the petitioner situated at T.S.No.9/2, as access way to the property.

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3.Already, the Tahsildar, Taluk Office, Kodaikanal, Dindigul District, and the Revenue Divisional Officer, Kodaikanal, have given their reports to the effect that the land belonging to the petitioner is a patta land and the land where the fifth respondent is attempting to encroach upon is a Government land and action must be taken against the fifth respondent for having encroached upon a Government land.

4.From the records, it is seen that the fifth respondent has already been identified to be an encroacher by the revenue authorities. The fifth respondent in order to encroach upon the Government property, is attempting to use the petitioner's land as access way. The petitioner has already given a representation to the respondent police bringing to their notice the above said facts and has sought for police protection since there is a threat to his life and his property. The said complaint has also been received by the respondent police.

5.The fourth respondent is directed to act upon the complaint given by the petitioner and ensure that the fifth respondent does not disturb the possession of the petitioner in his property and if the fifth respondent creates any law and order problem, the fourth respondent is directed to take appropriate action against the fifth respondent. The fourth respondent police shall take into consideration the report of the Tahsildar, dated 31.07.2018 and the report of the Revenue Divisional Officer, dated 06.08.2018 in this regard.

6.This writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Tahsildar,
Taluk Office,
Kodaikanal,
Dindigul.

<https://hcservices.ecourts.gov.in/hcservices/>



2. The Superintendent of Police,
Dindigul.

3. The Deputy Superintendent of Police,
Kodaikanal,
Dindigul District.

4. The Inspector of Police,
Kodaikanal Town Police Station,
Dindigul District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 83101

+ 1 CC TO Mr.N.MOHAN, ADVOCATE IN SR No. 82457

MM

TE/SKN/SAR-1 : 27/09/2018 : 3P/7C

W.P.(MD) No.19196 of 2018
05.09.2018