



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 27.02.2018

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WEB COPY

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P.(MD)No.14382 of 2013

S.Natarajan

. . .Petitioner

-Vs-

1.The Superintendent of Police,
Madurai Rural,
Madurai District.

2.A.Sabari
3.N.Paulraj
4.Mani

5.The Inspector of Police,
Chatrapatty Police Staion,
Madurai.

. . .Respondents

(R5 is suo motu impleaded as per order dated 29.08.2013)

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 29.07.2013 and to provide adequate police protection to the petitioner's life and limb and also to cultivate his land situated in Madurai District, Madurai, North Division, Chatrapatti Circle No.63 Therkkupethampatti Village, Survey No.50/2B an extent of 69 cents and Survey No.64/37 to an extent of 8 ½ cents within a time frame as may be fixed by this Court.

For petitioner	: Mr.P.Jessi Jeeva Priay
For R1 and R5	: Mr.Aayiram K.Selvakumar
	Additional Government Pleader
For R2 and R3	: Mr.S.Ramesh
For R4	: No Appearance

ORDER

According to the petitioner the property situated in Survey Nos.50/2B and 64/37 are his ancestral property and after the death of his father the petitioner, and his sisters and brothers were jointly enjoying the property and they are also doing cultivation. That being so on 29.07.2013, the respondents 2 to 4 prevented the petitioner from proceeding with the cultivation and also criminally intimidate the petitioner. In the above circumstances, the petitioner filed a representation before the first respondent on

29.07.2013 seeking police protection to cultivate his land. The representation of the petitioner has not been considered by the respondents 2 to 4 so far, hence the present writ petition has been filed by the petitioner herein.

2.The learned counsel for the respondents 2 and 3 submitted that already the respondents 2 to 4 have purchased the land from one of brothers of the petitioner by way of a registered sale deed and by virtue of the above sale deed, they are claiming title over the property.

3.In the above circumstances since the title of the property is in dispute, the respondent police officials cannot decide the issue and no police protection also given to the petitioner. If at all the petitioner have any grievance, it is always open to him to approach the competent Civil Court to get appropriate remedy and the relief sought by the petitioner in the writ petition cannot be granted. In the result the writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Madurai Rural,
Madurai District.

2.The Inspector of Police,
Chatrapatty Police Staion,
Madurai.

+1cc to M/S.V.Raghavachari, Advocate SR.No. 51841
+1cc to M/S.N.Subramanian, Advocate SR.No. 51546
+1cc to Special Government Pleader, SR.No. 52166

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JM/KK/SAR 1/26.03.2018/2P/6C