

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.20670 of 2016
and
WMP No.17753 of 2016

Senthil Kumar

... Petitioner

Vs.

1. The Inspector of Police,
Kundadam Police Station,
Kundadam,
Tharapuram Taluk,
Tirupur District.
 2. The Deputy Superintendent of Police,
Kundadam,
Tharapuram Taluk,
Tirupur District.
 3. The Superintendent of Police,
Tirupur.
 4. Subramaniam
 5. Dhandapani
 6. Govindasamy
- ... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, to direct the respondents 1 to 3 police officers to render police help to the petitioner in maintaining the enjoyment of the 1.3 feet cart track running between the land of the petitioner in S.F. No.613/B and the public channel and the south of the land in S.F. No.613 situated in Nandavanam Palayam, Kundadam, Dharapuram Taluk, Tirupur District, for which decree of permanent injunction has been granted in O.S.No.447/1992 on the file of the District Munsif of Dharapuram dated 19.10.1994.

For Petitioner : Mr.C. Deivasigamani

For Respondents: Mr.M.Mohamed Riyaz

Additional Public Prosecutor for RR1 to 3
Mr. A.K. Kumarasamy for RR4 to R6

O R D E R

The writ petition has been filed to direct the respondents 1 to 3 in maintaining the enjoyment of the 1.3 feet cart track running between the land of the petitioner in S.F. No.613/B and the public channel and the south of the land in S.F. No.613 situated in Nandavanam Palayam, Kundadam, Dharapuram Taluk, Tirupur District, for which decree of permanent injunction has been granted in O.S.No.447/1992 on the file of the District Munsif of Dharapuram dated 19.10.1994. to take action on the complaints given by the petitioner, dated 11.2.2016 and 15.2.2016 and pending in C.S.R. No.35 of 2016 on the file of 2nd respondent in accordance with law.

2. The petitioner has given complaint to the respondents seeking police protection in using 15 feet car track in their land, which was objected by the nearby land owners by giving some disturbances to him.

3. Now, almost three years have lapsed and hence, due to the lapse of period, the prayer sought for by the petitioner cannot be granted now. However, the petitioner is at liberty to file a fresh petition, on fresh cause of action, if so advised.

4. With the above observations, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

vsi2/ssr

To

1. The Inspector of Police,
Kundadam Police Station,
Kundadam,
Tharapuram Taluk,
Tirupur District.
2. The Deputy Superintendent of Police,
Kundadam,
Tharapuram Taluk,
Tirupur District.
3. The Superintendent of Police,
Tirupur.

4. The District Munsif, Dharapuram

5. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.AK.Kumarasamy, Advocate SR.No.17460

+1cc to Mr.C.Deivasigamani, Advocate SR.No.16919

W.P.No.20670 of 2016

MR (CO)
GMY (25/03/2019)



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