

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.1388 of 2018
and W.M.P.No.1755 of 2018

Tiruvalluvar Transport Corporation
Employees Co-operative
House Building Society Ltd.,
Rep. by its President,
Pallavan Salai,
Chennai - 2.

.... Petitioner

Vs.

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Superintendent of Police,
Kancheepuram District,
Kancheepuram.
3. The Tahsildar,
Sriperambathur Taluk,
Kancheepuram District.
4. The Inspector of Police,
Law & Order,
Guduvancheri Police Station,
Kancheepuram District.

5. T.Tamilamudhan

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus to direct the respondents 2 and 4 to provide adequate police protection to the respondents 1 and 3 during measuring and demarcating survey Nos.405/1, 406/2, 407/13, 407/21, 405/81, 409/31, 410/2, 410/7, 411/2, 408/75, 408/11, 408/40, 408/06 and 410/49 at TTC Nagar, Athanur Village, Sriperambadur Taluk, Kancheepuram District.

For Petitioner : Mr.M.S.Palaniswamy

For Respondents : Mr.M.Mohamed Riyaz for R1 to R4
Additional Public Prosecutor
Mr.V.Raghavachari for R5

O R D E R

The Writ Petition has been filed to direct the respondents 2 and 4 to provide adequate police protection to the respondents 1 and 3 during measuring and demarcating survey Nos.405/1, 406/2, 407/13, 407/21, 405/81, 409/31, 410/2, 410/7, 411/2, 408/75, 408/11, 408/40, 408/06 and 410/49 at TTC Nagar, Athanur Village, Sriperambadur Taluk, Kancheepuram District.

2.Heard, Mr.M.S.Palaniswamy, learned counsel appearing for the petitioner, Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the respondents 1 to 4 and Mr.V.Raghavachari, learned counsel appearing for the fifth respondent and perused the materials available on record.

3.It is seen that the writ petition has been filed for seeking police protection for measuring and demarcating Nos.405/1, 406/2, 407/13, 407/21, 405/81, 409/31, 410/2, 410/7, 411/2, 408/75, 408/11, 408/40, 408/06 and 410/49 at TTC Nagar, Athanur Village, Sriperambadur Taluk, Kancheepuram District. The petitioner has also paid requisite fees to the Revenue Officials for measuring and demarcating the said property, but the fifth respondent is objecting the same and not allowing the Revenue Officials to enter into the property.

4.It is also seen that the fifth respondent is not the Member of the Society. The Tahsildar, Sriperambathur Taluk vide his letter dated 26.12.2017, has requested the fourth respondent to provide police protection for measuring and demarcating the property belongs to the petitioner.

5.Considering the above facts and circumstance of the case and also that the petitioner has already paid the requisite fees before the Revenue Officials for measuring and demarcating the said property, the third respondent is directed to measure and demarcate the petitioner's property and if there is any untoward incident arises during measuring the property, it is open to the Revenue Divisional Officer to seek police protection before the fourth respondent herein.

6.On receipt of such request by the Revenue Officials, the fourth respondent is directed to consider the same and provide adequate police protection to the Revenue Officials on payment necessary charges by the petitioner.

7.With the above observation, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (Insp.Cell)

//True Copy//

Sub Assistant Registrar

pam

To

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Superintendent of Police,
Kancheepuram District,
Kancheepuram.
3. The Tahsildar,
Sriperambathur Taluk,
Kancheepuram District.
4. The Inspector of Police,
Law & Order,
Guduvancheri Police Station,
Kancheepuram District.
5. The Public Prosecutor,
High Court, Chennai - 104.

+1 cc to Mr.M.S.Palaniswamy, Advocate, S.R.No.34540

+1 cc to Mr.V.Raghavachari, Advocate, S.R.No.33785

W.P.No.1388 of 2018
and W.M.P.No.1755 of 2018

EV(CO)
SSM(04/06/2019)

WEB COPY