



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 26.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.NO.20909 OF 2019

AND

W.M.P.NOS.20109 & 29658 OF 2019

V.Nandhagopal

...Petitioner

Vs

1. The Inspector of Police,
Santhavasal Police Station,
Santhavasal, Polur Taluk,
Thiruvannamalai District.
2. The Deputy Inspector General of Police,
Villupuram Range,
Villupuram.
3. The Superintendent of Police,
Thiruvannamalai District.
4. The Deputy Superintendent of Police,
District Crime Branch,
Thiruvannamalai District.
5. The Inspector of Police,
District Crime Branch,
Thiruvannamalai District.
6. S.Parthasarathi
7. G.Kumar

...Respondents

PRAYER:

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the second respondent to consider my representation dated 13.06.2019 and to give adequate police protection to the life and property of the petitioner and his family members and thereby protect our life and property and to forbear from harassing me in the name of enquiry and from forcing me to sign the documents.



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For Petitioner : Mr.A.Thiyagarajan, Senior Counsel for
Mr.M.Nallathambi

For Respondents: Mr.C.Iyyapparaj for R1 to R5
Additional Public Prosecutor
Mr.K.Velu for
Mr.G.Vinothkumar for R6 & R7

ORDER

This Writ Petition is filed directing the second respondent to consider the petitioner's representation dated 13.06.2019 and to give adequate police protection to his life and property and his family members and to forbear the respondents from harassing him in the name of enquiry and from forcing him to sign the documents.

2. In connection with civil dispute, the petitioner apprehends that there can be obstructions from the respondents 6 and 7 and therefore, sought for police protection for his life as well as the property. In this connection, the petitioner herein had earlier approached this Court by way of the Writ Petition in W.P.No.10691 of 2011 dated 11.01.2019 and this Court had observed that it is for the police to consider such an extension of police protection and thereby dismissed the Writ Petition. Subsequently, the petitioner claims to have given a representation seeking for police protection based on which the summons have been issued on 13.06.2019, in which the petitioner had participated. Since there was no further action, the present Writ Petition has been filed.

3. The learned counsel for the respondents 6 and 7 would submit that the petitioner claims right over the property. While that being so, it would not be appropriate for this Court to determine the rights and thereby come to the conclusion of extending the police protection. Nevertheless, since the first respondent herein had already initiated enquiry, this Court cannot grant the police protection and it would be appropriate to direct them to complete the enquiry and take further course of action.

4. In the light of the above observations, there shall be a direction to the first respondent to complete the enquiry based on the petitioner's subsequent representation dated 13.06.2019 seeking for police protection and take further course of action and in accordance with law after giving due opportunity to the petitioner as well as the rival parties. During the course of enquiry, the first respondent herein shall not intimidate or do such other acts which may amount to harassment on either of the parties. The first respondent shall endeavour to complete the



enquiry atleast within a period of eight weeks from the date of receipt of a copy of this order. The Writ Petition stands disposed of accordingly. Consequently, connected Miscellaneous Petitions are also closed.

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Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

vkrr

To:

1. The Inspector of Police,
Santhavasal Police Station,
Santhavasal, Polur Taluk,
Thiruvannamalai District.
2. The Deputy Inspector General of Police,
Villupuram Range,
Villupuram.
3. The Superintendent of Police,
Thiruvannamalai District.
4. The Deputy Superintendent of Police,
District Crime Branch,
Thiruvannamalai District.
5. The Inspector of Police,
District Crime Branch,
Thiruvannamalai District.

+1cc to Mr.M.Nallathambi, Advocate, S.R.No.98320

W.P.No.20909 of 2019
and
W.M.P.Nos.20109 & 29658 of 2019

RR(CO)
CS/20/01/2020