

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2019

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.21032 of 2019
and W.M.P.Nos.20215 & 20708 of 2019

A.N.Panneerselvam

... Petitioner

Vs.

1. The Director General of Police,
No.61, Dr.R.K.Salai, Mylapore,
Chennai - 600 004.

2. The Superintendent of Police,
Salem District.

3. The Inspector of Police,
Thalaivasal Police Station,
Attur, Salem District.

4. C.Subramaniam

5. Saroja

6. S.Suresh

7. N.Sampath

8. N.Povayee

... Respondents

[R4 to R8 impleaded vide this Court Order dated 24.07.2019
made in W.M.P.No.20708 of 2019 in W.P.No.21032 of 2019]

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to take suitable action on the complaint dated 18.06.2019, 21.06.2019 & 09.07.2019 grant adequate police protection for the purpose of fencing the said temple land and carrying out renovation, maintenance work.

For Petitioner : Ms.A.L.Ganthimathi

For Respondents : Mr.C.Raghavan
Government Advocate for R1 to R3

ORDER

This writ petition has been filed for a direction to the respondent police to grant police protection to the petitioner for the purpose of fencing the land and carrying out renovation work.

2. The learned counsel for the petitioner submitted that there is a family temple belonging to the petitioner and his family, situated at Deivakurichi Village, Salem District. The family members wanted to renovate the temple in the year 2018. Since there was a dispute regarding the extent of the property, the petitioner gave a representation to the Tahsildar to measure the property and to fix the boundary stones. Accordingly, the boundary stones were fixed around the property. However, the impleaded respondents removed the boundary stones and started causing threat to the petitioner and his family.

3. The learned counsel for the petitioner further submitted that the petitioner gave a complaint to the respondent police right from the year, April 2019 seeking for police protection. Since the complaint has not been acted upon, the present writ petition has been filed before this Court seeking for appropriate directions.

4. Heard, the learned Government Advocate appearing on behalf of the respondent police.

5. Taking into consideration the facts and circumstances of the case, there shall be a direction to the 3rd respondent namely the Inspector of Police, Thalaivasal Police Station, Attur, Salem District to call the parties for an enquiry. If on enquiry the 3rd respondent finds that the impleaded respondents are causing threat to the petitioner and his family without any basis, they shall be instructed not to cause threat and to workout their remedy in accordance with law. If in the course of enquiry, the respondent police come to know that there is a rival claim over the property based on documents, he shall relegate the parties to the competent civil court.

6. This Writ petition is disposed of with the above direction. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1. The Director General of Police,
No.61, Dr.R.K.Salai, Mylapore,
Chennai - 600 004.
2. The Superintendent of Police,
Salem District.
3. The Inspector of Police,
Thalaivasal Police Station,
Attur, Salem District.
4. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.A.L.Gandhimathi, Advocate Sr.63615

W.P.No.21032 of 2019
and W.M.P.Nos.20215 & 20708 of 2019
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srg 13/08/2019

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