

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:05.08.2019
CORAM:
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH
W.P.No.22902 of 2019

1.D.Sigamani
2.S.Sundari

...Petitioners

Vs.

1. The District Collector
Thiruvallur.
2. The Superintendent of Police,
Thiruvallur.
3. The Taluk Surveyor
Tiruttani Taluk
Thiruvallur District.
4. The Inspector of Police,
Tiruttani.
- 5.R.Vedham

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 3rd respondent to measure the property with the help and protection of the 4th respondent, consequently directing the 4th respondent to provide proper protection while the 5th respondent and their agents creating a problem over the petitioner's property in Survey No.148/8B of Mathur Village, Tiruttani Taluk measuring an extent 1.25 Acres.

For Petitioners : Mr. R.Ezhilarasan

For Respondents : Mr.M.Mohamed Riyaz (For R1 to R4)
Addl. Public Prosecutor

ORDER

This writ petition has been filed for a direction to the respondent police to give police protection to enable the revenue authorities to conduct a survey in the property.

2. The learned counsel for the petitioners submitted that the 5th respondent attempted to interfere with the possession and enjoyment of the petitioners and the petitioners filed a suit in O.S. No.16 of 2014 before the District Munsif Court, Tiruttani seeking for the relief of permanent injunction. The suit was

also decreed by judgment and decree dated 17.06.2014. The learned counsel submitted that the judgment and decree has become final and inspite of the same, the 5th respondent is causing threat and is interfering with the possession and enjoyment of the petitioners.

3. Heard the learned Additional Public Prosecutor on behalf of the respondent police.

4. This writ petition is disposed of with a direction to the 4th respondent police to call the parties for an enquiry. If the judgment passed in O.S No.16 of 2014 has become final, the 5th respondent shall be directed not to interfere with the possession and enjoyment of the property and cause threat to the petitioners. If the same has been challenged by the 5th respondent and civil proceedings are pending, the respondent police shall relegate the parties before the concerned Court. The respondent police is directed to take a decision accordingly, with regard to providing police protection. No cost.

Sd/-
Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector
Thiruvallur.

2. The Superintendent of Police,
Thiruvallur.

3. The Taluk Surveyor
Tiruttani Taluk
Thiruvallur District.

4. The Inspector of Police,
Tiruttani.

5. The Public Prosecutor
High Court of Madras.

+1cc to Mr. R.Ezhilarasan, Advocate sr.66618

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rsi(co)
nr 13/08/2019



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