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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2019

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THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P.(MD)No.5975 of 2019

Balasubramanian ... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Superintendent of Police,
Tirunelveli District,
Tirunelveli-2.

3.The Inspector of Police,
Taluk Police Station,
Kakkan Nagar,
Palayamkottai,
Tirunelveli-2.

4.S.Pandikumar ... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the second and third respondents to give police protection to the petitioner with regard to his tenancy right in Survey No.293 /1 in an extent of 1.45 acres of land and in an extent of 1.48 cents of lands in Survey No.292 totaling an extent of 2.93 acres in Ariyakulam Village, Palayamkottai Taluk in Tirunelveli District to the petitioner and his property including the tenancy right and consequently directing the third respondent to prevent the illegal activities of the fourth respondent against this petitioner.

For Petitioner : Mr.P.Senthur Pandian
For R1 to R3 : Mrs.S.Bharathi
Government Advocate

ORDER

The petitioner seeks police protection for him to enter into the property in Survey No.293 of 2001 in Ariyakulam Village, Palayamkottai Taluk in Tirunelveli District over which he claims some tenancy right. He has also produced the orders of the revenue officials dated 19.12.2015 and 03.09.2017.

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2. Heard the learned counsel for the petitioner and the learned Government Advocate for the official respondents.

3. The learned Government Advocate on instructions submits that the complaint given by certain Pandikumar / fourth respondent has been enquired and closed.

4. Suffice to state for the present that since the nature of the prayer is one seeking police protection for enjoyment of certain tenancy right, it is necessary that the petitioner is heard in the matter and decision appropriate to the prayer may have to be taken. Therefore, the petitioner is directed to give a fresh representation to the third respondent, who upon receiving the same shall cause such necessary enquiry and take such appropriate decision as may be necessary to protect the life, liberty and right to property of the petitioner. However if there is any civil dispute to be decided between the rival parties, the third respondent may not interfere the same.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (T & P)

// True Copy //

Sub Assistant Registrar(CS)

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To
1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Superintendent of Police,
Tirunelveli District, Tirunelveli-2.

3.The Inspector of Police,
Taluk Police Station,
Kakkan Nagar, Palayamkottai,
Tirunelveli-2.

+1CC TO MR.P.SENTHUR PANDIAN, Advocate Sr. No. 54755

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TR (08.04.2019) 2P 5C

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