

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P. No. 6078 of 2020

Maragatham,
W/o.Vengidusamy,
No.2/70, J.J.Nagar,
Theppampalayam,
Arishipalayam Village,
Madukarai Taluk,
Coimbatore - 641 032.

..Petitioner

vs.

1.The District Collector,
Coimbatore,
Coimbatore District.

2.The Inspector of Police,
Chettipalayam Police Station,
Coimbatore District.

..Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus or any other appropriate writ, order or direction in the nature of writ, directing the respondents to give Police protection to fencing the petitioner's patta land in S.F.No.25/1A1 at Malumichampatly Village, Coimbatore District, by considering petitioner's representation dated 08.01.2020.

For Petitioner : Mr. S.Vinoth Kumar

For Respondent - 1 : Mr. M.Elumalai,
Government Advocate

For Respondent - 2 : Mr. S.Karthikeyan
Additional Public Prosecutor

ORDER

This Writ Petition has been filed for the issuance of Writ of Mandamus directing the respondents to give Police protection to fencing the petitioner's patta land in S.F.No.25/1A1 at Malumichampatly Village, Coimbatore District, by considering petitioner's representation dated 08.01.2020.

2. It is seen that the petitioner had already filed a Writ Petition in W.P. No.16495 of 2018 against the Special Officer to remove the encroachment in S.F. No.25/1A1 at Malumichampatly Village, Coimbatore District. This Court, by order dated 05.07.2018, directed the Special Officer, Malumichampatly Panchayat, to cause inspection and survey of the said land within a period of six weeks from the date of receipt of the order copy and also directed the Special Officer to take appropriate action in accordance with law within a period of eight weeks.

3. After surveying the land, it is seen that the road used by the general public is laid in between the land belonging to the petitioner. Now the petitioner seeks Police protection to fence her entire road by filing this Writ Petition.

4. Considering the above facts and circumstances, fencing the public road would cause disturbance to general public. Hence, this Court directs the petitioner to submit a representation to the first respondent in this regard and on receipt of the same, the first respondent is directed to enquire the same and pass orders, in accordance with law, within a period of two weeks from the date of receipt of representation by the petitioner. Depending upon the order passed by the first respondent, the petitioner can very well seek Police protection before the second respondent. On such request, the second respondent is directed to consider the same and take action, in accordance with law.

5. With the above directions this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Coimbatore,
Coimbatore District.

2.The Inspector of Police,
Chettipalayam Police Station,
Coimbatore District.

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3.The Public Prosecutor,
Madras High Court,
Madras.

+1cc to the Government Pleader, S.R.No.24763

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MP (CO)
KKV/21/08/2020



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