



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2020

CORAM:

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.10987 of 2013
and
M.P. (MD)Nos.1 and 2 of 2013

M.Mohammed Ismail

... Petitioner

Vs.

- 1.The Director General of Police,
Tamil Nadu Department,
Beach Road,
Chennai.
- 2.The District Collector,
Tirunelveli District.
- 3.The Superintendent of Police,
Tirunelveli District.
- 4.The Revenue Divisional Officer,
Thenkasi RDO Office,
Tirunelveli.
- 5.The Tahsildhar,
Alankulam Taluk,
Tirunelveli.
- 6.The Inspector of Police,
Veera Keralam Pudur Police Station,
Tirunelveli.

7.Muthu Ramalingam

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents No.1 and 2 to give police protection on the head of the Respondent No.3 to reconstruct and strengthen the compound wall situated in the southern side of the Kattubava Jumma Pallivasal, Kalanneerkulam, Alankulam Taluk.



For R1 to R6

:Mr.A.Robinson
Government Advocate (Crl.side)

For R3

:Mr.T.Lajapathi Roy

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ORDER

The petitioner seeks police protection for reconstructing and strengthening the compound wall situated on the southern side of the Kattubava Jumma Pallivasal, Kalanneerkulam, Alankulam Taluk.

2.The petitioner's counsel points out that the petitioner has filed O.S.No.17 of 2001 before the Principal District and Munsif Court, Thenkasi and the same was decreed on 30.06.2003. He would further contend that with a delay of almost 10 years, an appeal was filed but the same was dismissed at the condone delay stage itself.

3.When the petitioner is having a decree in his favour, it is always open to the petitioner to execute the same. The petitioner can very well approach the executing Court for relief. The question of passing a direction in the writ proceedings does not arise. Leaving open the rights of the petitioner to work out his remedies before the Executing Court concerned, the writ petition stands dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

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Sub Assistant Registrar(CS)

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To

1.The Director General of Police,
Tamil Nadu Police Department,
Beach Road,
Chennai.

2.The District Collector,
Tirunelveli District.



3.The Superintendent of Police,
Tirunelveli District.

4.The Revenue Divisional Officer,
Thenkasi RDO Office,
Tirunelveli.

5.The Tahsildhar,
Alankulam Taluk,
Tirunelveli.

6.The Inspector of Police,
V.keralam Pudur Police Station,
Tirunelveli.

+1 CC to MR.S.M.A.JINNAH, Advocate (SR-4949[F] dated 06/02/2020)

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KM (08.06.2020) 3P 8C