



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.14982 of 2020

and

W.M.P. (MD)No.12618 of 2020

WEB COPY

M.S.Babu @ Thiyagarajan

... Petitioner

.vs.

1.The Superintendent of Police
Office of Superintendent of Police
Trichy District.

2.The Deputy Superintendent of Police
Musiri Division, Musiri
Trichy District.

3.The Inspector of Police
Musiri Town and Taluk
Trichy District.

4.Jambugeswari

5.Chellammal

6.Mahalakshmi

7.Danapakkiathammal

8.Arumugampillai

9.Krishnaveniammal

10.Radhamaniammal

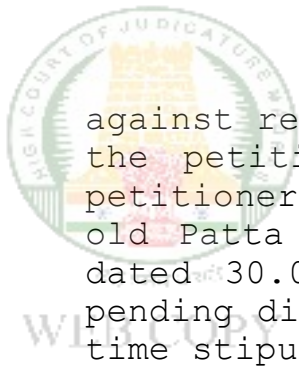
11.Ramesh Babu

12.Ram Mohan

13.Rama Prabha

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 and 2 herein to consider petitioner's representation dated 14.10.2020 and 18.10.2020 and take appropriate action as



against respondents 3 to 12 herein to provide police protection to the petitioner's life and limb and for the land owned by the petitioner's family in S.No.84/1 to the extent of 8.70 acres in old Patta No.443, Musiri West, Trichy District in view of order dated 30.06.2020 passed in W.P.(MD)No.7103 and 6664 of 2020 is pending disposal before this Court and further pass order within a time stipulated by this Court.

For Petitioner : Mr.V.Meenakshisundaram
For Respondents : Mr.R.Seenivasan,
Government Advocate for R1 to R3

ORDER

This writ petition has been filed for a Mandamus, seeking for a direction to the respondents 1 and 2 to consider the petitioner's representations dated 14.10.2020 and 18.10.2020 and take appropriate action as against respondents 4 to 13 herein and to provide police protection to the petitioner's life and limb and for the land owned by the petitioner's family in S.No.84/1 to the extent of 8.70 acres in old Patta No.443, Musiri West, Trichy District, in view of order dated 30.06.2020 passed in W.P.(MD) Nos.7103 and 6664 of 2020.

2. It is the case of the petitioner that he is the absolute owner of the aforementioned properties and there are disputes raised by the respondents 4 to 13 with regard to the petitioner's ownership. According to the petitioner, apprehending change of the revenue records in the name of the respondents 4 to 13, the petitioner filed W.P.(MD)Nos.7103 and 6664 of 2020 and by order dated 30.06.2020, in the aforesaid writ petitions, this Court granted interim stay of operation of the impugned order, whereby the patta standing in the name of the petitioner was transferred in the name of some of the private respondents in that writ petitions. According to the petitioner, despite the interim stay granted by this Court on 30.06.2020 in W.P.(MD)Nos.7103 and 6664 of 2020, the respondents 4 to 13 are attempting to take possession of the property with the assistance of the official respondents as well as other antisocial elements. In such circumstances, the petitioner has given representations dated 14.10.2020 and 18.10.2020 to the respondents 1 and 2, requesting them to take action against the respondents 4 to 13 for their attempts to disobey the order dated 30.06.2020 passed by this Court in W.P.(MD)Nos.7103 and 6664 of 2020. According to the petitioner, till date, the said representations have not been duly considered. In such circumstances, this Writ Petition has been filed.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 to



4. The prayer sought for in this writ petition is an innocuous relief. No prejudice will be caused to the respondents, if the representations dated 14.10.2020 and 18.10.2020 are considered by the respondents 1 and 2 on merits and in accordance with law, after giving sufficient opportunity to the petitioner as well as the other aggrieved persons including the respondents 4 to 13.

5. For the foregoing reasons, this Court directs the respondents 1 and 2 to consider the petitioner's representation dated 14.10.2020 and 18.10.2020 on merits and in accordance with law, after giving sufficient opportunity to the petitioner as well as the respondents 4 to 13 and other necessary parties and pass final orders within a period of eight weeks from the date of receipt of a copy of this order.

6. This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsm

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

1.The Superintendent of Police
Office of Superintendent of Police
Trichy District.



2.The Deputy Superintendent of Police
Musiri Division, Musiri
Trichy District.

3.The Inspector of Police
Musiri Town and Taluk
Trichy District.

+1 CC to Mr.D.NALLATHAMBI, Advocate (SR-20655[F] dated 23/10/2020
)

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22.10.2020

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