

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2021

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

WP No. 1639 of 2021

K.R.Selvaraj Kumar

..Petitioner

.vs.

The Inspector of Police,
Law and Order,
H-8 Thiruvottiyur Police Station,
Thiruvottiyur, Chennai 600 019.

.. Respondent

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to consider and pass order on the petitioner's representation dated 19.12.2020 and 22.12.2020 and also to give protection while the petitioner demolishing the building at No.5, Sathangadu Village, Ayya Pillai Thottam Street, Thiruvotriyur, Chennai 600 019.

For Petitioner: Mr.A.Kalaiselvan

For Respondent: Mr.C.Raghavan

Government Advocate, (Crl. side) for R1

O R D E R

This Writ petition has been filed for the issue of a writ of mandamus directing the respondent to consider the representations made by the petitioner on 19.12.2020 and 22.12.2020, wherein the petitioner is seeking for Police Protection in order to enable him to demolish his property.

2. The case of the petitioner is that he is the owner of the subject property by virtue of a Registered Sale Deed dated 10.09.2014. The further case of the petitioner is that even the Revenue Records stands in the name of the petitioner with respect to the subject property. Since the super structure is in a dilapidated condition and requires immediate demolition, the petitioner made an application before the Corporation of Chennai seeking for permission to demolish the building and the Corporation of Chennai, through Demolition Permission letter dated 25.11.2015, permitted the petitioner to demolish the super structure. The grievance of the petitioner is that some of the

rowdy elements are not allowing the petitioner to demolish the building and are demanding for money. The petitioner made representations to the respondent police requesting for Police protection. Since the same was not considered, the present Writ Petition has been filed before this Court.

3. Heard Mr.A.Kalaiselvan, learned counsel appearing for the petitioner and Mr.C.Raghavan, learned Government Advocate (Crl. Side) for the respondent.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the respondent to consider the representation made by the petitioner on 19.12.2020 and call the petitioner for an enquiry. The petitioner shall be present before the respondent Police along with all the relevant documents. On enquiry, if the respondent Police finds that some rowdy elements are attempting to cause threat to the petitioner and prevent him from demolishing the building, the officer shall take immediate action against them and if required provide Police protection to the petitioner to enable him to demolish the property. If any charges are to be paid for the purpose of providing police protection, the same shall also be paid by the petitioner. The petitioner is directed to make a fresh representation to the respondent along with a copy of this order. The entire process shall be completed within a period of four weeks from the date of receipt of copy of this order.

5. The Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To
The Inspector of Police,
Law and Order,
H-8 Thiruvottiyur Police Station,
Thiruvottiyur, Chennai 600 019.

+2cc to Mr.A.Kalaiselvan, Advocate, S.R.No.4902

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rr ii (03/02/2021)