

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

WP No. 1680 of 2021
and WMP Nos.1884 & 1888 of 2021

M.J.Harishkumar

... Petitioner

vs.

1. The Superintendent of Police,
Sathuvachari,
Vellore, Vellore District.
2. The Inspector of Police,
Veppankuppam Police Station,
Vellore District.
3. L.Manimozhiarasan
4. C.B.Sankara Narayanan
5. S. Mohan
6. V.Sudhakar
7. K.Kumaresan
8. E.Magi @ Mahiarasan
9. A.Senthilkumar
10. M.Giridharan
11. B.Muthu
12. R.Madanraj
13. A.Vishva
14. L.Madhan

... 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 to give adequate police protection to family the family of the petitioner and properties measuring 14.29 acres comprised in S.F.Nos.71/7, 71/8, 71/9, 72/2B, 72/3A and 72/4 of Nedumipalayam Village, Anaicut Taluk, Vellore District by taking swift action against the respondents 3 to 14, on the basis of his complaint petition dated 15.11.2020.

For Petitioner : Mr.N.Manokaran

For Respondent : Mr.C.Raghavan

Government Advocate, (crl. side) for R1

Page numbers

O R D E R

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the first and second respondents to grant police protection to the petitioner and his family members and also to the subject properties, based on the complaint given by the petitioner on 15.11.2020.

2. The case of the petitioner is that he became the owner of the subject property by virtue of a registered Sale Deed dated 01.10.2018. The further case of the petitioner is that the Revenue records also stands in the name of the petitioner with respect to the subject property. It is stated that there are repeated attempts that are being made by the private respondents to cause threat to the petitioner and the same has resulted in nearly four FIRs and five CSRs. According to the petitioner, the private respondents are indulging in rowdyism and they are using the name of the political parties as a shield to cover up their illegal activities. It is further stated that an attempt was made to file a suit for specific performance based on an unregistered sale agreement of the year 2007 and a CRP was filed before this Court in CRP No.382 of 2019, to strike off the plaint and it is brought to the notice of this Court that orders have been reserved in this Revision petition.

3. The learned counsel appearing for the petitioner submitted that there are repeated complaints that have been given before the second respondent and the second respondent is not able to effectively handle the situation, since the private respondents are using the names of political parties. The learned counsel further submitted that the first respondent viz., the Superintendent of Police had also called the parties for enquiry and had instructed the second respondent to provide Police protection. However, the second respondent has not acted upon the same and left with no other option, the petitioner had approached this Court seeking for appropriate directions.

4. Heard Mr.N.Manokaran, learned counsel appearing for the petitioner and Mr.C.Raghavan, learned Government Advocate (Crl. Side) appearing for the respondents 1 and 2.

5. Taking into consideration the facts and circumstances of the case, there shall be a direction to the first respondent to immediately act upon the complaint given by the petitioner on 15.11.2020 and call the private respondents for an enquiry and specifically instruct them not to cause any threat to the petitioner and his family and not to interfere

Page numbers

with the possession and enjoyment of the property belonging to the petitioner. If in spite of such a warning, the private respondents create any law and order problem, immediate action shall be taken against them strictly in accordance with law. The first respondent shall also provide police protection depending upon the situation that is prevailing on the ground. The petitioner is directed to make a fresh representation to the first respondent along with all the relevant documents and a copy of this order.

6. The Writ Petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

jv

To

1. The Superintendent of Police,
Sathuvachari,
Vellore, Vellore District.
2. The Inspector of Police,
Veppankuppam Police Station,
Vellore District.

+1cc to M/s.N.Manokaran, Advocate SR.4739
+1cc to Mr.C.Raghavan, Govt Advocate (Crl.side)

WP No. 1680 of 2021
and WMP Nos.1884 & 1888 of 2021

AD (CO)
CB(18/02/2021)

WEB COPY

Page numbers