

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2021

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.2847 of 2021

A.K.Mohammed Rasheed Maricar

... Petitioner

.Vs.

State rep.by:

1)The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Kadambadi,
Nagapattinam 611 001.

2.The Inspector of Police,
Nagore Police Station,
No.NH 45A Nagore 611 002,
Nagapattinam District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents herein to provide ample police protection while carrying out the demolition work based on the notice from Nagapattinam Municipality bearing Ref.No.E1/455/2020/E1 dated 04-12-2020.

For Petitioner : Mr.Y.Mohamed Ghouse

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This writ petition has been filed for the issue of a Writ of Mandamus directing the respondent Police to provide police protection in order to enable the petitioner to carry out the demolition work of the property.

2.The case of the petitioner is that he is the owner of the subject property and the property is in a very dilapidated condition. The petitioner made an application before the Nagapattinam Municipality, seeking for protection to demolish the structure and permission was also granted by proceedings dated 04.12.2020.

3.The further case of the petitioner is that the property is located very near to the Nagore Main Road and due to congestion in the said place, there is every possibility of some law and order problem being created. Therefore, a representation was made to the respondent Police on 29.12.2020, seeking for police protection. Since the same was not considered, the present petition has been filed before this Court.

4.Heard Mr.Y.Mohamed Ghouse, learned counsel for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing on behalf of the respondents.

5.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 2nd respondent to consider the representation made by the petitioner on 29.12.2020 and grant police protection at the time of the demolition of the building and ensure that the process of demolition does not in any interfere with the normal activities near the Nagore Main Road. The petitioner shall make necessary charges to the 2nd respondent as fixed by the 2nd respondent. The petitioner is directed to make a fresh representation along with all the relevant documents and also a copy of this order to the 2nd respondent.

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

Sd/-
Assistant Registrar(CS III)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

KP

To

1.The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Kadambadi,
Nagapattinam 611 001.

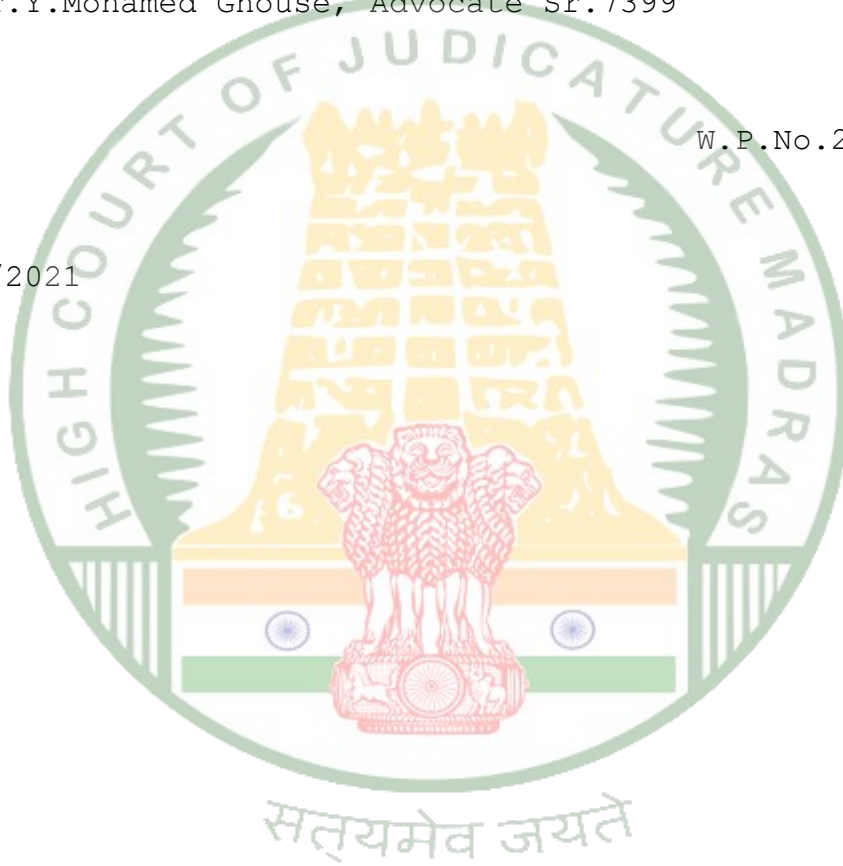
2.The Inspector of Police,
Nagore Police Station,
No.NH 45A Nagore 611 002,
Nagapattinam District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Y.Mohamed Ghouse, Advocate Sr.7399

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mp[co]
srg 12/02/2021



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