

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.02.2021

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

W.P.No.3152 of 2021

P.Yogesan

.. Petitioner

Vs.

1. The State rep. by. Its,
Inspector of Police,
Vennandur Police Station,
Namakkal District.

2. The Deputy Superintendent of Police,
Rasipuram,
Namakkal District.

3. The Tasildhar,
Rasipuram,
Namakkal District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the Respondents 1 and 2 to grant necessary assistance and protection to the petitioner for fencing private Patta lands in S.No.25/1A, 25/3A Athanur-ayepallayam Village as per the proceedings of the Tasildhar Rasipuram in Na.Ka.No.11636/2020/ B1 dated 24.12.2020.

For Petitioner : Mr.M.Sivavarthan

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

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondents 1 and 2 to grant police protection in order to enable the fencing of the subject property by the petitioner.

2.It is seen from records that the petitioner is the owner of the subject property by virtue of registered settlement deed dated 11.07.2019. It is also seen from records that the revenue records stand in the name of the petitioner. The petitioner

wanted to conduct a survey in the property and hence filed necessary application before the revenue authorities and also paid the necessary charges.

3.The revenue authorities anticipated that there will be some resistance from a group of persons who are the local people and hence a request was made to the 1st respondent seeking for police protection by letter dated 14.10.2020. It is stated that the police protection was also granted to the 3rd respondent at the time of conducting the survey. It is further stated that the boundary stones were also laid on the completion of the survey by the 3rd respondent.

4.The petitioner had also fenced his property and the grievance is that this fencing was removed by some of the local people and hence the complaint came to be given by the petitioner on 16.11.2020. Proceedings were also initiated under Section 107 Cr.P.C. by the 3rd respondent. In spite of the same, the petitioner was not able to fence his property.

5.It is seen from records that the 3rd respondent has sent letter to the 2nd respondent on 24.12.2020 requesting for granting police protection to the petitioner in order to fence his property since, the survey has already been completed and the boundary stones have also been laid. The grievance of the petitioner is that till date no police protection has been granted and hence he is not able to fence his property. Aggrieved by the same, the present petition has been filed before this Court.

6.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondents.

7.Taking into consideration the facts and circumstances of the case and also of the fact that the 3rd respondent has already requested the 2nd respondent to provide police protection to enable the petitioner to fence his property, there shall be a direction to the 2nd respondent to immediately provide necessary police protection to the petitioner to enable him to fence his property. If any charges are payable for providing police protection, the petitioner shall pay the charges.

8.This writ petition is disposed of with the above directions. No Costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

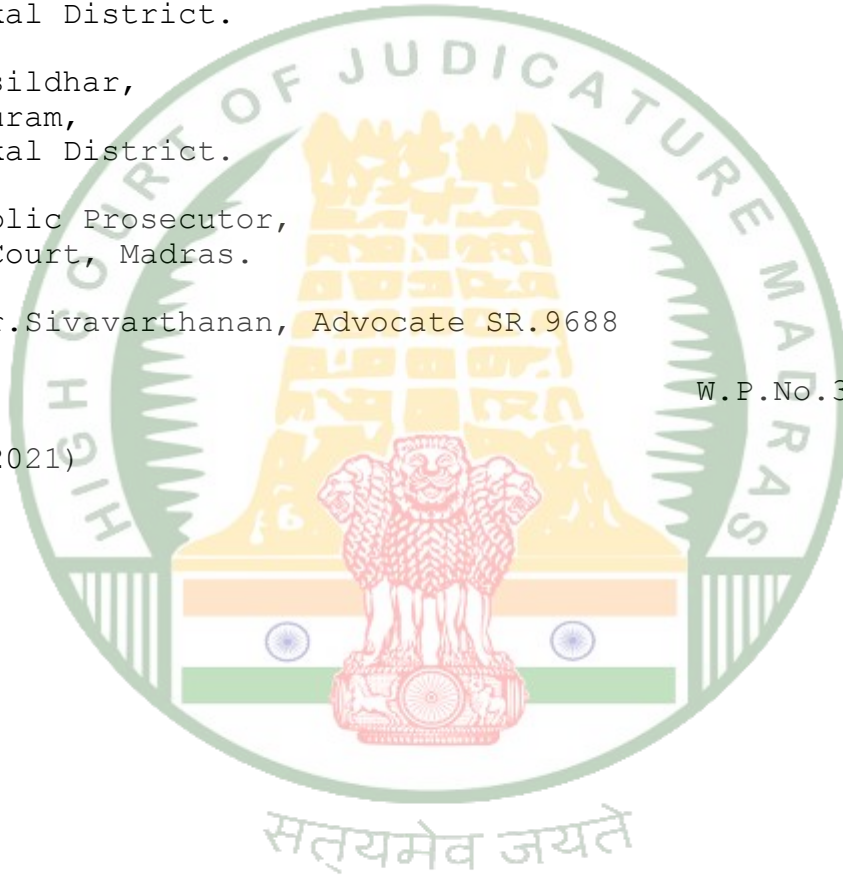
ssr

To

1. The State rep. by. Its,
Inspector of Police,
Vennandur Police Station,
Namakkal District.
 2. The Deputy Superintendent of Police,
Rasipuram,
Namakkal District.
 3. The Tasildhar,
Rasipuram,
Namakkal District.
 4. The Public Prosecutor,
High Court, Madras.
- +1cc to Mr.Sivavarthanana, Advocate SR.9688

W.P.No.3152 of 2021

MGR(CO)
CB(09/03/2021)



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