

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

WP No. 3760 of 2021

R.G. Rajasekar

... Petitioner

vs.

1. The State Rep. By  
Superintendent of Police,  
Office of the Superintendent of Police,  
Villupuram, Villupuram District 606 602.

2. Inspector of Police,  
Villupuram Taluk Police Station,  
Villupuram District - 606 602.

3. N.Natarajan

4. N.Manikandan

5. N.Sudhakar

6. N.Sugumar

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first and second respondents to provide adequate Police Protection for re-erect iron fencing in the Petitioner's agricultural land in Old Survey No.302/1 and New Survey No.302/1B, situated at, Thiruvamathur Village, Vikkiravandi Taluk, Villupuram District by considering the petitioner's representation dated 22.01.2021.

For Petitioner : Mr.J.Agni Selvaraju

For Respondents: Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

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 fence the subject property.

2. It is seen from the records that there is already a Civil Suit pending in OS No.11 of 2021 on the file of the Principal District Munsif Court, Villupuram. In this suit, an interim injunction has also been granted in favour of the petitioner in IA No.8 of 2021 by an order dated 11.01.2021.

3. The grievance of the petitioner is that the private respondents are disregarding the interim injunction order granted by the Court below and are trespassing into the property and are not allowing the petitioner to fence the property. A complaint was given against the private respondent and an FIR was also registered in Crime No.127 of 2021 on 19.01.2021. The petitioner sought for Police protection to fence the property through representation dated 22.01.2021. Since the same was not acted upon, the present Writ Petition has been filed before this Court.

4. Heard Mr.J.Agni Selvaraju, learned counsel appearing for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for respondents 1 and 2.

5. Taking into consideration the facts and circumstances of the case and also of the fact that there is already a suit pending before the Court below and an interim injunction has already been granted in favour of the petitioner, liberty is given to the petitioner to file an appropriate application seeking for Police protection before the Court below and the Court below shall deal with the same on its own merits and in accordance with law. Except giving this liberty no further orders can be passed.

6. This Writ Petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

jv  
To

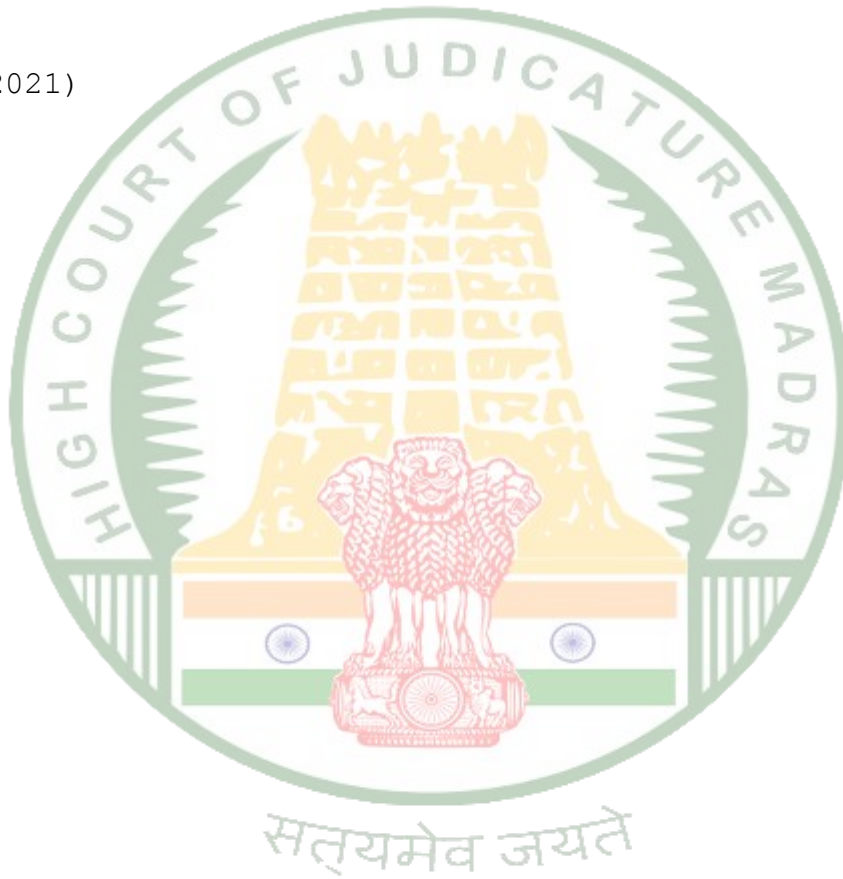
1. The Superintendent of Police,  
Office of the Superintendent of Police,  
Villupuram, Villupuram District 606 602.

2. The Inspector of Police,  
Villupuram Taluk Police Station,  
Villupuram District - 606 602.

3. The Public Prosecutor,  
High Court of Madras, Chennai.

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SR II (CO)  
SP(17/03/2021)



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