

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.5699 of 2021

A.S.Fazal Mohammed

... Petitioner

Vs.

1. The District Collector,
Collectorate,
Vengikkal,
Tiruvannamalai District,
@ Tiruvannamalai 606 604.
2. The Superintendent of Police,
District Police Office,
Tiruvannamalai District,
@ Thiruvannamalai 606 604.
3. The Deputy Superintendent of Police,
Anti Land Grabbing Special Cell,
District Police Office Complex,
Vengikkal, Tiruvannamalai 606 604.
4. Venkatesan @ Tirupati Balaji Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to grant Police Protection to the Petitioner from any harassment from the fourth Respondent herein and consequently direct the respondents 1 to 3 herein to take Appropriate action against the fourth Respondents herein based on the Petitioner's complaint dated 5.1.2021.

For Petitioner : Ms.Swadhi Subramaniam

For Respondents: Mr.C.Raghavan
Government Advocate
for R1 to R3

O R D E R

This writ petition has been filed for the issue of writ of mandamus directing the respondent police to grant police protection to the petitioner for his life and limb and also for the property.

2.The case of the petitioner is that he is the owner of the subject property by virtue of registered settlement deed, dated 25.06.2014.

3.The further case of the petitioner is that 4th respondent by using his political clout and being an Ex-Ward Councilor, has illegally encroached upon the property and is indulging in illegal activities. It is also stated that he is quarrying in the property without any license or permission from the authorities. When the petitioner questioned the same, he was threatened and he was warned with dire consequences.

4.The petitioner gave a complaint in this regard to the respondent police seeking for police protection and to take action against the 4th respondent. Since the same did not evoke any response, the present writ petition has been filed before this Court.

5.Heard the learned counsel for the petitioner and the learned Government Advocate appearing on behalf of the respondent police.

6.Taking into consideration the facts and circumstances of the case and the serious allegations that have been made by the petitioner in the complaint, the respondent police ought to have acted upon the complaint given by the petitioner. The 4th respondent cannot use his political clout to grab the properties and indulge in any illegal activities. The official respondents also cannot maintain silence just because the 4th respondent belongs to some political party. Being member of a political party does not give him any right or will be a license to indulge in illegal activities.

7.In view of the above, there shall be a direction to the Superintendent of Police, Thiruvannamalai District to immediately act upon the complaint given by the petitioner on 05.01.2021 to take action on the 4th respondent and ensure that he does not cause any threat to the petitioner or indulge in illegal activities in the property belonging to the petitioner. If required, criminal action shall also be initiated. The petitioner is directed to make a fresh representation to the Superintendent of Police, Thiruvannamalai District along with all relevant documents and also a copy of this order.

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

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The District Collector,
Collectorate,
Vengikkal,
Tiruvannamalai District,
@ Tiruvannamalai 606 604.

2. The Superintendent of Police,
District Police Office,
Tiruvannamalai District,
@ Thiruvannamalai 606 604.

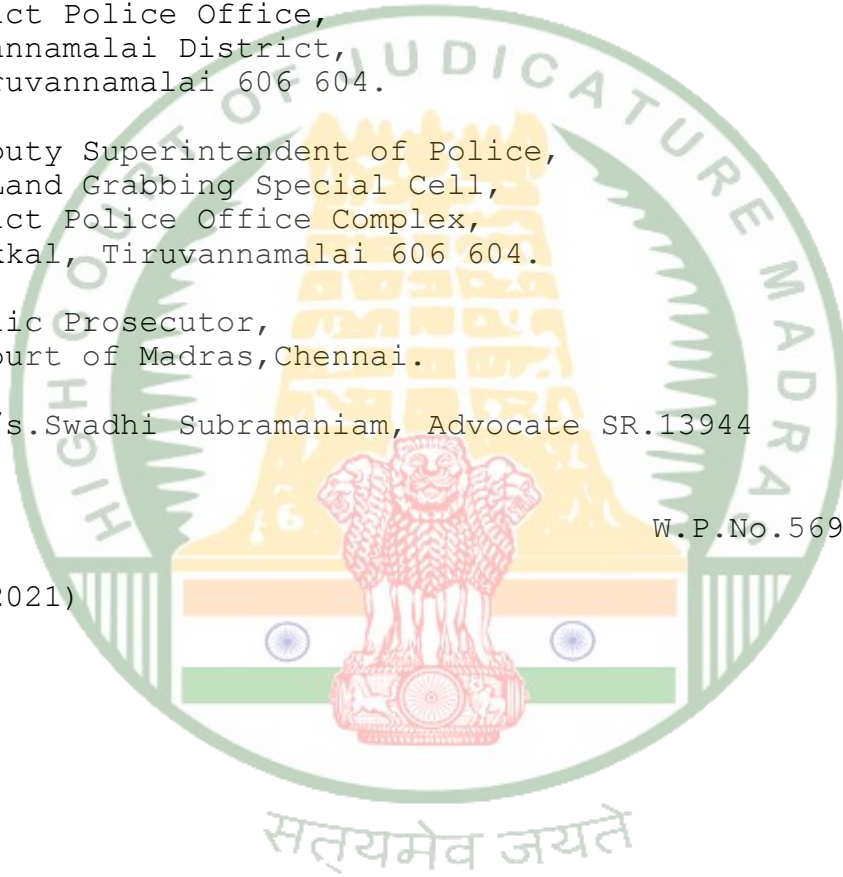
3. The Deputy Superintendent of Police,
Anti Land Grabbing Special Cell,
District Police Office Complex,
Vengikkal, Tiruvannamalai 606 604.

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

+lcc to M/s.Swadhi Subramaniam, Advocate SR.13944

W.P.No.5699 of 2021

PL (CO)
CB (22/03/2021)



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