

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.5664 of 2021

C.R.Tamilvanan

.. Petitioner

vs.

1. The Superintendent of Police,
Krishnagiri District,
Krishnagiri.

2. The Sub Inspector of Police,
Nagarasampatti Police Station,
Nagarasampatti,
Krishnagiri District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus directing the respondents 1 and 2 to consider the representation of the petitioner dated 12.02.2021 and to provide adequate police protection to the life and limbs of the petitioner and his men who are doing mining activities in S.F.Nos.418/3 (0.17.5), 418/4 (0.09.5), 418/5 (0.09.5) 418/6 (0.02.5), 418/7 (0.06.0), 418/8 (0.01.0), 418/12 (0.03.0), 418/3 (0.07.5), 421/1 (0.20.0), 421/2 (0.08.5), 421/3 (0.06.5), 421/4A (0.07.5), 421 /4B (0.04.0), 421/5 (0.13.5), 421/6 (0.05.0), 421/7 (0.09.5), 421/8 (0.06.5), 421/2A (0.28.5) and 421/12B (0.05.0)

For Petitioner : Mr.H.Elango

For Respondents : Mr.M.Mohamed Riyaz,
Addl. Public Prosecutor

ORDER

This writ petition has been filed for issuance of writ of Mandamus directing the respondent police to consider the representation made by the petitioner on 12.02.2021 wherein the petitioner has sought for police protection for his life and to carryout the mining activities in the subject property.

2. The case of the petitioner is that he is the owner of the property and he had applied for quarry lease operations and he has been granted 20 years lease by proceedings dated 21.09.2020

and the petitioner has also entered into an agreement with the District Collector, Krishnagiri, in this regard. The agreement contains the terms and conditions for carrying out the quarrying operations.

3. The grievance of the petitioner is that when he started the quarry operations, some unknown persons started interfering with the petitioner's quarry operations along with some coolie labourers. They threatened the petitioner's labourers with dire consequences. Aggrieved by the same, the petitioner made a complaint to the respondent police on 09.01.2021 and 12.02.2021 seeking for police protection. Since the same was not acted upon, the present writ petition has been filed before this court seeking for appropriate directions.

4. Heard learned counsel for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor for the respondents.

5. Taking into facts and circumstances of the case and also the fact that the petitioner has been granted lease to perform quarry operations and he has entered into a lease agreement with the District Collector, Krishnagiri, for a period of 20 years, there shall be a direction to the second respondent to act upon the complaint given by the petitioner on 09.01.2021 and 12.02.2021 and provide police protection to ensure that no one prevents the petitioner from doing quarrying activity or cause threat to the petitioner. If any charge is payable so as to provide police protection, the same shall also be fixed by the second respondent and it shall be paid by the petitioner.

6. The continuation of the police protection shall be assessed by the second respondent, considering the prevailing situation and a decision shall be taken in that regard. The petitioner is directed to make a fresh representation with all relevant documents along with a copy of this order. A copy of the representation shall also be marked to the first respondent.

7. This writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

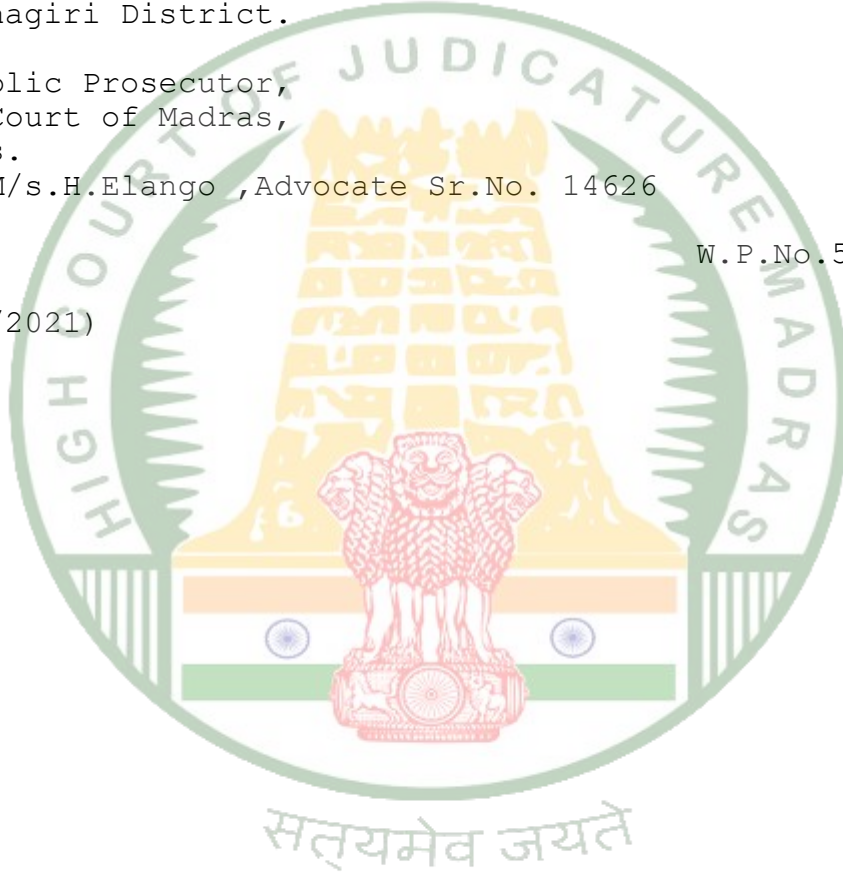
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To

1. The Superintendent of Police,
Krishnagiri District,
Krishnagiri.
 2. The Sub Inspector of Police,
Nagarasampatti Police Station,
Nagarasampatti,
Krishnagiri District.
 3. The Public Prosecutor,
High Court of Madras,
Madras.
- +1 cc to M/s.H.Elango ,Advocate Sr.No. 14626

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PMK (CO)
RMP (29/03/2021)



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