

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2021

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.7875 of 2021

P.Arul,

.. Petitioner

Vs.

1. The Secretary to Government,
Home Department,
Chennai 600 009.
2. The District Collector,
Chennai District,
Chennai.
3. The Commissioner of Police,
Chennai Metro City,
Vepery,
Chennai 600 007.
(*Respondents 1 to 3 are not necessary parties.
Hence deleted vide order dated 29.03.2021 by
NAVJ)
4. The Inspector of Police,
S-10, Pallikaranai Police Staton,
Chennai 600 010.
5. S.Selvakumar,
6. M.Settu

सत्यमेव जयते.. Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, to direct the 1 to 4th respondents to consider the petitioner's representation dated 17.03.2021 within stipulated period and consequently direct the 1 to 4th respondents to provide the police protection against the 5th and 6th respondents tried to grab the petitioner's house plot properties situated at Kanchipuram District, Sholinganallore Taluk, Pallikaranai Village, Meenatchipuram Survey No.377, Sub-Division No.377/6, Patta No.30947, which is total extent of 2400 square feets.

For Petitioner : Mr.T.V.G.Kartheeban
For 1st respondent : Mr.C.Raghavan,
Government Advocate

ORDER

*The first, second and third respondents are not necessary parties in this Writ Petition. Hence deleted.

2.This writ petition has been filed for issuance of Writ of Mandamus directing the 1st respondent Police to provide police protection to the petitioner and his property based on the representation made by the petitioner on 17.03.2021.

3.The case of the petitioner is that he is the absolute owner of the subject property by virtue of a registered sale deed dated 17.07.2019. The further case of the petitioner is that the patta also stands in the name of the petitioner in Patta No.30947. The petitioner wanted to put up a construction in the subject property and hence, he applied for electricity connection and the electricity connection was also given in his name and ultimately the building plan approval was also given in the name of the petitioner by the Chennai Corporation by proceedings dated 15.11.2020.

4. The grievance of the petitioner is that the fifth and sixth respondents, who belong to a political party, for extraneous consideration restrained the petitioner from proceeding further with the construction and were causing threat. The petitioner immediately gave a complaint to the respondent Police on 17.03.2021. Since the same was not acted upon, the present writ petition has been filed before this Court.

5.Heard Mr.T.V.G.Kartheeban, learned counsel appearing on behalf of the petitioner and Mr.C.Raghavan, learned Government Advocate, appearing on behalf of the fourth respondent.

6.Taking into consideration the facts and circumstances of the case and also of the fact that the petitioner has prima facie proved his title and also has obtained necessary permission to put up the construction in the plot, there shall be a direction to the fourth respondent to call the parties for an enquiry and instruct the fifth and sixth respondents not to cause any threat to the petitioner or interfere with the possession and enjoyment of the property. If they have any semblance of right over the property, there shall be a direction to the parties to work out their remedy before the appropriate Court. If, in spite of such instruction, the fifth and sixth respondents indulge in causing any threat or interfere with the

putting up of the construction, immediately action shall be taken against them in accordance with law. The petitioner is directed to make a fresh representation before the fourth respondent along with a copy of this order.

7. This writ petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

rm

To

1.The Inspector of Police,
S-10, Pallikaranai Police Staton,
Chennai 600 010.

2.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.T.V.G.Karthiban, Advocate Sr.No. 20880

SSN(CO)
RMP(05/05/2021)

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सत्यमेव जयते

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