



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2021

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.8066 of 2021

M.Settu

...Petitioner

.Vs.

1. The Commissioner of Police,
O/o.the Commissioner of Police,
Vepery,
Chennai 600 007.
2. The Inspector of Police,
S-10, Pallikaranai Police Station,
Medavakkam, Chennai 600 100.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents herein to consider the representation of the petitioner dated 05.03.2021 seeking police protection to him and his family.

For Petitioner	: Mr.P.K.Harinath Babu for Mr.P.Muthukumaarasaamy
For Respondents	: Mr.A.Damodaran Government Advocate (Criminal Side)

ORDER

This petition has been filed to direct the respondents to provide police protection to the petitioner based on the representation made by the petitioner on 05.03.2021.

2.The petitioner submits that he has already filed W.P.No.11049 of 2017, challenging the cancellation of Patta by RDO, Tambaram in proceedings Pa.Mu.No.616/2016 dt.04.03.2017. This Court in WMP No.11993 of 2017 in W.P.No.11041 of 2017 had granted interim stay. Thereafter, the writ has not been listed.



3.The contention of the petitioner is that now one Arul, Sudha, Padma, July, Parthiban and Sivakumar are attempting to encroach upon the property of the petitioner pertaining to Patta No.2916 and 1655 in Survey No.377/1C3A, 377/6A2, 3s77/7A, 377/1C3A, 377/6A2 for which, he has sent a representation to the respondents herein on 05.03.2021. Now for the encroachments being made by the above said persons he has sent a representation to the respondents on 05.03.2021 since no action was taken, this writ petition has been filed before this Court.

4.The learned Government Advocate (Crl.Side) submits that in W.P.No.7875 of 2021, the petitioner is the 6th respondent. This Court by an order dt.29.03.2021, had directed the Inspector of Policer S-10, Pallikaranai Police Station, Chennai, to call the parties for enquiry instruct the 5th and 6th respondent not to cause any threat to the petitioner Arul or interfere with the possession and enjoyment of the property pertaining to Patta No.30947. However, the petitioner's son Selvakumar had given an undertaking to the respondent Police stating that he would abide by the directions of this Court in W.P.No.7875 of 2021 dt.29.03.2021. The property pertaining to the said Arul is with regard to Patta No.30947.

5.The grievance of the petitioner is that his property pertaining to Patta Nos.2916 and 1655 in Survey Nos.377/1C3A, 377/6A2, 3s77/7A, 377/1C3A, 377/6A2, is cancelled against which he has filed this writ petition. This Court had also granted interim stay. The petitioner states that the said Arul and others are attempting to encroach upon the petitioner's property. In view of the same, the petitioner seeks direction to dispose of his representation dt.05.03.2021 and to conduct an enquiry.

6.In view of the same, it is found that the property of Arul as well as the petitioner pertains to different survey numbers and the respondent Police to advise both the parties not to encroach upon either of their properties, if they are aggrieved to approach the civil court.

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

-s/d-

Assistant Registrar(CS-IX)

True Copy

Sub-Assistant Registrar

KP



1. The Commissioner of Police,
O/o.the Commissioner of Police,
Vepery,
Chennai 600 007.
2. The Inspector of Police,
S-10, Pallikaranai Police Station,
Medavakkam, Chennai 600 100.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.V.Balamurugane, Advocate, S.R.No.31130

W.P.No.8066 of 2021

KV(CO)
SU(29/07/2021)