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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.12944 of 2021

Rose

... Petitioner

Versus

1. State Rep.by
The Superintendent of Police
Ranipet District.
2. The Deputy Superintendent of Police
Ranipet Range, Ranipet.
3. The Inspector of Police
Arcot Town Police Station
Ranipet District.
4. Karthikeyan
5. Ramamoorthy
6. Selvi
7. Manikandan

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 3 provide suitable police protection to the petitioner and his family based on the representation dated 10.12.2020 to the first respondent having acknowledgment as petition No.399/SPG/SB/2020 dated 10.12.2020, within a time frame fixed by this Court.

For Petitioner : Mr.N.S.Amarnath

For Respondents : Mr.A.Damodharan for R1 to R3
Government Advocate (Crl.Side)



ORDER

This petition has been filed to direct the respondents 1 to 3 to provide suitable police protection to the petitioner and her family based on the representation, dated 10.12.2020, to the first respondent having acknowledgment as petition No.399/SPG/SB/2020 dated 10.12.2020, within a time frame fixed by this Court.

2. The petitioner seeks Police Protection for herself and her family based on the representation, dated 10.12.2020. From the petitioner's representation, it is seen that the petitioner's father along with the petitioner's paternal uncle were owning the property in S.No.142/1C. Thereafter, the property has been devolved upon the the petitioner and her paternal uncle and they are also enjoying a pathway in the said property. However, the neighbours to the petitioners namely, Ramamoorthy, Kathikeyan and Manikandan are creating trouble and obstructing the petitioner from putting up a compound wall in their property. Further, the petitioner submits that the said Ramamoorthy had filed a petition before the Sub Collector, Ranipet for a correction to be carried out in the Survey No.142/1C stating that for the said survey number, patta had been wrongly issued in the name of petitioner's father and paternal uncle. The Sub Collector after a detailed enquiry, by the order, dated 19.12.2019 had held that the said Ramamoorthy and the others have no right over the property in S.No.142/1C and it stands in the name of the petitioner's parents.

3. The learned Government Advocate (Crl.Side) has submitted that the complaint of the petitioner to the Superintendent Police was forwarded to the third respondent in C.No.399/SPG/SB/2020 dated 10.12.2020. Thereafter, the petitioner as well as the respondents 4 to 7 were called for enquiry on 12.12.2020 and then the complaint was disposed of finding that the dispute is civil in nature. Hence, the petitioner has to approach either the Revenue Authority or Civil Court.

4. This Court, on considering the submissions and perused the materials available on record, finds that already the Revenue Authority, namely Sub Collector had held that the respondents 4 to 7 have no right over the property in S.No.142/1C and it stands in the name of the petitioner's father and paternal uncle namely, Shankar and Natarajan.

5. In view of the above, there is no dispute with regard to the petitioner's right over the property, which has been confirmed by the Revenue Authorities. The respondents 4 to 7 have not approached any Civil Court against the order of the



Sub Collector in Na.Ka.No.A4/4725/2019 dated 19.12.2019. In view of the same, the third respondent is directed to give necessary protection to the petitioner to put up the construction in her property in S.No.142/1C.

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6. With the above observations and directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dna

To

1. The Sub-Inspector of Police
Pagandaikuttusalai Police Station
Villupuram District.
2. The Superintendent of Police
Kallakurichi District.
3. The Inspector of Police
Arcot Town Police Station
Ranipet District.
4. The Public Prosecutor
High Court of Madras.

W.P.No.12944 of 2021

PMK (CO)
PM(28/07/2021)