



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.11361 of 2021

and

WMP.No.12016 of 2021

P.Vaamalai

...Petitioner

Versus

1.The Superintendent of Police
O/o.The Superintendent of Police
Tiruvannamalai District.

2.The Sub Inspector of Police
Taluk Police Station
Vengikkal
Tiruvannamalai District.

3.A.P.Moorthi

4.A.Muniyammal

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the first respondent herein to take necessary action on the petitioner's representation dated 27.02.2021 and provide police protection to the petitioner and his family members and direct the first and second respondents to take action against the respondents 3 and 4, who are all illegally intervening the petitioner's peaceful possession over their land situated in Plot No.11 at measuring 1785 sq.ft., comprised in Old Survey No.191/4 as per patta new sub division survey No.257/12 of Venikkal Village, Tiruvannamalai Taluk and District within a specific period as fixed by this Court.

For Petitioner : Mr.S.Kumara Devan

For Respondents: Mr.A.Damodaran for R1 & R2
Government Advocate
(Criminal Side)



ORDER

WEB COPY This petition has been filed to issue a Writ of Mandamus, directing the first respondent herein to take necessary action on the petitioner's representation dated 27.02.2021 and provide police protection to the petitioner and his family members and direct the first and second respondents to take action against the respondents 3 and 4, who are all illegally intervening the petitioner's peaceful possession over their land situated in Plot No.11 measuring 1785 sq.ft., comprised in Old Survey No.191/4 as per patta new sub division survey No.257/12 of Venikkal Village, Tiruvannamalai Taluk and District.

2. The petitioner viz., Vaamalai has filed this Writ Petition seeking necessary action on his representation dated 27.02.2021. On perusal of the representation, it is seen that the petitioner had brought up his brother's children viz., Varunraj and Sylviya, as guardian since the petitioner's brother viz., Annamalai and his wife viz., Reeta passed away. The petitioner belongs to Tribal Schedule Caste Community and she purchased the property in Old Survey No.191/4 and new Survey No.257/12 Plot No.11 measuring 1785 Sq.Ft., in the said Village in the name of his deceased brother's son A.Varunraj. The third and fourth respondents are causing disturbance and not allowing the petitioner to enter into the property. The third respondent is a History-sheeter and through him, the fourth respondent is threatening the petitioner from entering into the property. Hence, she sent a representation to the second respondent to take action against them and also give protection to her and the property.

3. The learned counsel for the petitioner submitted that since no action has been taken on the petitioner's representation, the present writ petition is filed on 26.04.2021. Thereafter, it has been adjourned regularly. In the meantime, the petitioner as well as the third respondent appeared before the respondent police on 08.06.2021 and given a letter stating that already the petitioner filed a W.P.No.33587 of 2019 and obtained stay on 02.12.2019. Further, with regard to the dispute in the property, it may be resolved by surveying the same with a surveyor.

4. The third respondent also appeared and submitted that the dispute is only with regard to the property in Survey No.256/1 and the same would be sorted out after surveying the property with official surveyor.



5. In view of the above submissions, nothing survives for further adjudication in this Writ Petition. Hence, the Writ Petition is closed. Consequently, connected Miscellaneous Petition is also closed.

s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

dna

To

1.The Superintendent of Police
O/o.The Superintendent of Police
Tiruvannamalai District.

2.The Sub Inspector of Police
Taluk Police Station
Vengikkal
Tiruvannamalai District.

3.The Public Prosecutor
High Court, Madras.

+1 CC to Mr.S.Kumara Devan, Advocate sr 28565.

W.P.No.11361 of 2021
and
WMP.No.12016 of 2021

RSI (CO)
SP(19/07/2021)