



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2021

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.A.NO.1856 OF 2021

M/s.Sree Jai Hanuman Granites,
Rep. by its Partner Nishaanth,
1/443, Mill Medu,
Salem Main Road,
Kaveripattinam,
Krishnagiri.

... Appellant/Petitioner

.Vs.

1. The Superintendent of Police,
Krishnagiri District,
Krishnagiri.
2. The Sub Inspector of Police,
Nagarasampatty Police Station,
Nagarasampatty,
Krishnagiri District.

... Respondents/
Respondents 1 & 2

3.C.R.Tamilvanan

... 3rd Respondents/Petitioner

PRAYER:-

Writ Appeal filed under clause 15 of the Letters Patent praying to set aside the order of this Court passed in W.P.No.5664 of 2021 dated 08.03.2021.

Prayer in W.P.No.5664 of 2021:-

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), 418/6 (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).

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For Appellant : Mr.K.Vijayaraghavan
For Respondents : Mr.J.C.Durairaj
1 & 2 Government Counsel (Crl.Side)
For Respondent-3 : Mr.A.R.L.Sundaresan,
Senior Counsel
For Mr.H.Elango

JUDGMENT

(delivered by PUSHPA SATHYANARAYANA, J.)

The writ appeal has been filed challenging the order passed in W.P.No.5664 of 2021 dated 08.03.2021 by a third party.

2. The Writ Petition was originally filed by the third respondent herein seeking a mandamus directing the respondents 1 and 2 - police to consider his representation dated 12.02.2021, wherein, he has sought for police protection for his life and to carry out the mining activities in the petition mentioned properties/survey numbers.

3. The Writ Court had passed an order on 08.03.2021, which reads as follows:

"5. Taking into facts and circumstances of the case and also the fact that the petitioner has been granted leases 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.



To

1. The Superintendent of Police,
Krishnagiri District,
Krishnagiri.
2. The Sub Inspector of Police,
Nagarasampatty Police Station,
Nagarasampatty,
Krishnagiri District.

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+1cc to Mr.K.Vijayaraghavan, Advocate, S.R.No.50345
+1cc to Mr.H.Elango, Advocate, S.R.No.50335

W.A.NO.1856 OF 2021

RR(CO)
PBS/07/10/2021