



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P. No.14391 of 2021

C.Arumugam

...Petitioner

Versus

1.State of Tamil Nadu,
Rep.by Inspector of Police,
Brammadesam Police Station,
Brammadesam,
Tindivanam Circle,
Villupuram District.

2.Elumalai

...Respondents

Writ Petition filed under Article 226 Constitution of India, to issue Writ of Mandamus, to direct the first respondent to register the First Information Report with reference to the petitioner's complaint dated 25.02.2021 and investigate the issue in accordance with law.

For Petitioner : Mr.J.R.K.Bhavanantham

For Respondent : Mr.E.Raj Thilak,
Counsel for
Government of Tamil Nadu (Crl.side)

ORDER

The grievance of the petitioner is that he had sent a complaint dated 25.02.2021 to the first respondent, no action has been taken on his complaint till now.

2.The gist of the case is that the petitioner is having totally 0.12.5 ares of land in S.No.40/1A and S.No.40/1C in Endiyur Village. In the said property, he has been cultivating black gram. The adjacent land owner is Narayanasamy, whose son Elumalai is always causing trouble and disturbance to the petitioner/defacto complainant, at the time of cultivating. Taking advantage of the petitioner's old age, when the petitioner cultivating black gram, the said Elumalai let out the water from his land to the petitioner's cultivating field, due to stagnation of water on the field, the black gram crops get



spoiled, and thereby, he incurred huge loss of Rs.10,000/-. In due course, the petitioner had sent representation dated 25.02.2021 to the District Collector, Villupuram, on 26.02.2021. On receipt of the same, immediately the District Collector sent a letter dated 31.01.2021 to the District Superintendent of Police, Villupuram, who in turn, directed the Inspector of Police, Brammadesam, to take necessary action and file report, for the same. As per the direction given by the District Superintendent of Police, the Inspector of Police, Brammadesam, called both parties and conducted an enquiry, during enquiry, it is found that the damage caused by flooding of water due to heavy rainfall, and due to which, the black gram crops spoiled in petitioner's cultivating land. The respondent/police enquired entire people of the Village, and everyone in that area confirmed the same, thereafter, enquiry was closed.

3.The learned counsel for the petitioner submits that the adjacent land owner's son is always creating trouble to the petitioner, for a long period, whenever, the petitioner cultivating in his field, the said Elumalai, lets out the water in the field of cultivation, damaging the crops. The respondent/police advised the said Elumalai, but, still he is continuing the same.

4.Considering the submission and perused the records, it is seen that the respondents/police acted with alacrity, after enquiry, closed the complaint on 30.05.2021. In view of the same, this Court directs the Inspector of Police, Brammadesam, Villupuram District to serve a copy of the closure report to the petitioner.

5.With the above observation and direction, the Writ Petition is disposed of. No costs.

s/d-
Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

klt
To

1.The Inspector of Police,
Brammadesam Police Station,
Brammadesam,
Tindivanam Circle,
Villupuram District.



2.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.J.R.K.Bhavanantham, Advocate sr 33228.

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JPL (CO)
SP (09/08/2021)