



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2021

CORAM :

WEB COPY

THE HONOURABLE **Mr. JUSTICE G.ILANGOVA**

W.P.(MD)No.8211 of 2021

Jeyakumar

... Petitioner

Vs.

1. The Director General of Police,
Radhakrishnan Road,
Mylapore,
Chennai - 600 004.

2. The Superintendent of Police,
Theni District,
Theni.

3. The Inspector of Police,
Gudalur North Police Station,
Theni District.

4. Kalyani

5. Thirukumaran

6. Tamilarasi

7. Kavitha

... Respondents

Prayer : Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to provide necessary Police Protection to the Petitioner and his family members and also for the construction of building in the Petitioner's land comprised in Survey No.2305/8, situated in Gudalore Town, Theni District and also to take necessary action against the respondents respondents 4 to 7 for assaulting the Petitioner's family members and causing hindrance to the construction work with intention to grab the Petitioner's property using their position in Police Department, by considering the Petitioner's representation dated 05.02.2021, within a stipulated time fixed by this Court.

For Petitioner : Mr.A.Mithun Chakravarthy

For Respondents : Mrs.S.Bharathi,

Government Advocate, (Crl.Side)



ORDER

This writ petition has been filed seeking a direction to the respondents 1 to 3 to give Police protection for the purpose of constructing the building in the land situated in Survey No.2305/8 in Gudalor Town, Theni District.

2. The case of the petitioner is that the petitioner's father-in-law namely Raja owned a house situated in Survey No.2305/8 of Gudalore Town, Theni District. The respondents 4 to 7 are the adjacent land owners to the house. There is a dispute in respect to the common wall between the two families. When the petitioner started renovation work in their house, the respondents 4 to 7 again started to give problem for the construction work on 29.01.2021 and they went to the extent of assaulting the petitioner's father-in-law and his family members and they were treated as in-patient in the Government Hospital.

3. Due to inaction on the part of the 3rd respondent, he filed detailed complaint to the respondents 1 & 2. Thereafter, the 3rd respondent asked him to arrange for a Government Survey of land through the Head Surveyor. The petitioner paid and arranged for the survey of land. In the result of which, the boundaries of both the lands were demarcated and they have accepted the same.

4. The petitioner sent a detailed representation to the respondents 1 to 3 dated 05.02.2021, but, till date they have not taken any action. The respondents 4 to 5 who were working in the Police Department in the Theni District are continuously threatening the petitioner's family with dire consequences. Hence, he filed this writ petition.

5. The learned counsel for the petitioner would submit that on the basis of the representation dated 05.02.2021, directing the private respondents 4 to 7 not to obstruct the construction that has been undertaken by the petitioner and further to take necessary action against the respondents 4 to 7.

6. The learned Public Prosecutor would submit that based on the complaint given by the petitioner C.S.R has been issued and the authorities will pass orders on the representation on merits within the time stipulated by this Court.

7. On the submissions made by the learned Public Prosecutor, this Writ Petition stands disposed of with a direction to the respondents to consider the representation made by the petitioner dated 05.02.2021 and pass orders on merits within a period of one month from the date of receipt of a copy of this order.



8. Accordingly, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-I)

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// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Director General of Police,
Radhakrishnan Road,
Mylapore,
Chennai - 600 004.
2. The Superintendent of Police,
Theni District,
Theni.
3. The Inspector of Police,
Gudalur North Police Station,
Theni District.

Copy to

The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.A.MITHUN CHAKRAVARTHI, Advocate (SR-17023[F] dated 22/04/2021)

W.P. (MD)No.8211 of 2021
20.04.2021

DKS (CO)

TR(09.07.2021) 3P 6C