



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

WEB COPY

W.P. (MD) No. 9753 of 2021

S. Jayakodi

... Petitioner

Vs.

1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi District.

2.The Inspector of Police,
Thalaimutha Nagar Police Station,
Thoothukudi District.

3.The Designated Engineer,
TANGEDCO,
AE/O&M Rural North,
Tuticorin,
Tuticorin District.

4.Anthony Micael

5.Anthony Francis

6.Rethinam

7.Anthony Micael Nizulas

8.Anthony Kulanthai Saviour

9.Jeyaraj

10.Sitrarasu

... Respondents

PRAYER: The Writ Petition is filed under Section 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to provide police protection to the petitioner and his family members and also erecting electric pole for the purpose of electricity connection in respect of the petitioner's dwelling house situated at Door No.11/184, T.Saveriarpuram, Mappilaiurani Village, Tuticorin Taluk, Tuticorin District within a stipulated time, on the basis of the petitioner's representation dated 20.04.2021.

<https://hccasecoms.gov.in/cases>



For Petitioner : Mr.P.Banuprasath
For R-1 and R-2 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor
For R-3 : Mr.S.M.S.Johnny Basha
Standing Counsel for TANGEDCO
For R-5 and R-6 : Mr.S.Muthu Malairaja

ORDER

This petition has been filed for issuance of a Writ of Mandamus, directing the respondents to provide police protection to the petitioner and his family members and also erecting electric pole for the purpose of electricity connection in respect of the petitioner's dwelling house situated at Door No.11/184, T.Saveriarpuram, Mappilaiurani Village, Tuticorin Taluk, Tuticorin District within a stipulated time, on the basis of the petitioner representation dated 20.04.2021.

2.When the matter is taken up for hearing, the learned counsel for the petitioner submitted that by the order dated 04.12.2020 in W.P.(MD).No.13474 of 2020, the third respondent herein was ordered to pass orders on merits by considering the case of the petitioner as well as the private respondent herein. A detailed direction has also been issued to the petitioner as well as the private respondents to produce the documents to the third respondent herein. According to the learned counsel for the petitioner, they have also produced the documents before the third respondent. But so far the enquiry has not been concluded.

3.The learned Additional Public Prosecutor submitted that based on the representation made by the petitioner, enquiry was undertaken and it was closed by advising the parties to workout their remedy through appropriate civil proceedings. Closure report also been circulated. The only dispute is that according to the learned counsel for the private respondent is that the petitioner wants the erection of electricity pole in S.No.108/4, which according to him belongs to the fifth respondent.

4.According to the learned counsel for the petitioner, the order passed by the writ Court is not complied with by the third respondent till date, even though all the relevant documents have been submitted by the parties. Without complying the order police protection at this stage does not arise. Since the above said order passed by this Court in the writ petition has not been complied by the third respondent herein, let the third respondent comply the order that has been passed in the above said writ petition and depending upon the outcome of the order to be passed



by the third respondent, the second respondent may take further action.

5. With the above direction, this petition stands disposed of.
No costs.

WEB COPY

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

TM

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 Superintendent of Police,
Thoothukudi District,
Thoothukudi District.
2. The Inspector of Police,
Thalaimutha Nagar Police Station,
Thoothukudi District.
3. The Designated Engineer,
TANGEDCO,
AE/O&M Rural North,
Tuticorin,
Tuticorin District.

+1 CC to M/s.P.BANU PRASATH, Advocate (SR-31390[F] dated
06/10/2021)

W.P. (MD) No. 9753 of 2021
05.10.2021

RK/PM(22/11/2021) 3P 5C