



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P(MD)No.11810 of 2016

WEB COPY

Sundaraj

: Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District.
Tirunelvlei

2.The Deputy Superintendant of Police,
Valliyoor,
Tirunelveli District.

3.The Inspector of Police,
Panagudi Police Station,
Radhapuram Taluk,
Tirunelveli District.

4.Annaraj

5.Chandrasekar

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus, directing the respondent to provide the petitioner police protection to enjoy the property to the extent of 13 cents in Survey No.1391 /2A5 at Panagudi Village Part I Radhapuram Taluk, Tirunelveli District without any interference of 4th and 5th respondents by considering the petitioner's representation dated 09.04.2016 in the light of the judgment and decree passed in O.S.No.420 of 2011, dated 01.12.2015 on the file of the Principal District Munsif Court, Valliyoor.

For Petitioner : Mr.S.R.Anbarasu

For Respondent : Mr.R.Anandharaj,
Nos.1 to 3 Additional Public Prosecutor

For Respondent : Mr.R.Anand
Nos.4 & 5



ORDER

This writ petition has been filed for issuance of a writ of mandamus directing the respondents to provide the petitioner police protection to enjoy the property to the extent of 13 cents in Survey No.1391 /2A5 at Panagudi Village Part I Radhapuram Taluk, Tirunelveli District without any interference of 4th and 5th respondents by considering the petitioner's representation dated 09.04.2016 in the light of the judgment and decree passed in O.S.No.420 of 2011, dated 01.12.2015 on the file of the Principal District Munsif Court, Valliyoor.

2.When the matter has been taken up for hearing, Mr.R.Anandharaj, learned Additional Public Prosecutor appearing for State submitted that the petitioner's complaint was registered in Crime No.101 of 2016 for the offence under Sections 447, 294(b) and 506 (i) IPC, investigation was conducted and the same was closed as mistake of fact on 15.04.2016 and RCS No.28 of 2016 was served to the petitioner on 18.04.2016.

3.Recording the submission made by the learned Additional Public Prosecutor that the matter has been investigated and closed as mistake of fact, this writ petition stands dismissed. However, the petitioner is at liberty to work out his remedy in the manner known to law. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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,
Tirunelveli District.
Tirunelvlei



- 2.The Deputy Superintendant of Police,
Valliyoar,
Tirunelveli District.
- 3.The Inspector of Police,
Panagudi Police Station,
Radhapuram Taluk,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Maddurai.

W.P(MD)No.11810 of 2016
26.04.2021

CO)
SJ(10.05.2021) 3P 5C