



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :15.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

W.P.No.2551 of 2022

M.Murugesan

...Petitioner

-Vs-

- 1.The Commissioner of Police,
Avadi Commissionerate of Police,
Special Battalion - II Campus,
Avadi.
- 2.The Deputy Commissioner of Police,
Mahavir Garden Road, Shanthi Nagar,
KSR Nagar, Ambattur,
Chennai - 600 053.
- 3.The Inspector of Police,
T-12, Poonamallee Police Station,
Poonamallee,
Chennai - 600 056.

..Respondents

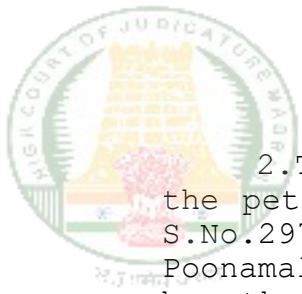
Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, direct the 3rd respondent to provide suitable and necessary police protection to the petitioner to put up construction in his property situated at S.No.297/2, No.9, Bhajanai Koil Street, Parivakkam, Poonamallee, Chennai based on his complaint dated 24.12.2021 in C.S.R.No.1297 of 2021.

For Petitioner : Mr.J.Deliban

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This petition has been filed to direct the 3rd respondent to provide suitable and necessary police protection to the petitioner to put up construction in his property situated at S.No.297/2, No.9, Bhajanai Koil Street, Parivakkam, Poonamallee, Chennai based on his complaint dated 24.12.2021 in C.S.R.No.1297 of 2021.



2.The learned counsel for the petitioner would submit that the petitioner is in possession of the Grama Natham property in S.No.297/2 at No.9 Bhajanai Koil Street, Parivakkam, Poonamallee, Chennai. The patta for the above land was issued by the Zonal Deputy Tahsildar, Poonamallee Taluk and the petitioner has been paying the tax regularly. The petitioner intended to put a construction within his area and it was objected to by the adjacent land owner. The petitioner had made representation with the District Collector, Thiruvallur District to direct the Tahsildar, Poonamallee Taluk to survey his property, as per the revenue records and to mark the boundaries. The petitioner has also paid requisite fees on 01.06.2021 and when the officials of the Revenue Department visited the property, the adjacent land owners Mr.Paneerselvam interfered and restrained the official from surveying and carrying out their statutory duties.

3.Thereby, the petitioner on 01.11.2021 preferred a representation before the District Revenue Officer (DRO) to issue suitable direction to his subordinates to carry out the statutory duty, after obtaining necessary protection from the 3rd respondent. Since, no action from the DRO, the petitioner had lodged a complaint dated 24.12.2020 before the 3rd respondent to provide suitable police protection to survey the petitioner's property. The 3rd respondent has also not taken any steps, hence, the present petition has been filed seeking for police protection.

4. Per contra, the learned Additional Public Prosecutor would submit that there is a dispute with regard to the property boundaries between the petitioner and the adjacent land owner viz., Paneerselvam. The parties themselves have filed petitions before the Revenue Divisional Officer (RDO) Thiruvallur and the proceedings is pending before the RDO, Thiruvallur. He would further submit that subject to the outcome of the proceedings pending before the RDO, Tiruvallur, the respondents will take appropriate action.

5. In view of the above, this writ petition stands closed, with a direction issued to the 3rd respondent to take appropriate steps based on the outcome of the proceedings of RDO, Tiruvallur in respect of the petitioner's property.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar



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To

- 1.The Commissioner of Police,
Avadi Commissionerate of Police,
Special Battalion - II Campus,
Avadi.
- 2.The Deputy Commissioner of Police,
Mahavir Garden Road, Shanthi Nagar,
KSR Nagar, Ambattur,
Chennai - 600 053.
- 3.The Inspector of Police,
T-12, Poonamallee Police Station,
Poonamallee,
Chennai - 600 056.
- 4.The Public Prosecutor,
High Court, Madras.

Copy To:

The Revenue Divisional Officer,
Tiruvallur.

W.P.No.2551 of 2022

PCH(CO)
SB(10/03/2022)