

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P. No.8801 of 2022

M/s.Dayasadan Children Town,
Rep. by its Trustee Gopalji Agrawal
No.5, Dayasadan Salai,
Nerkundram, Chennai - 600 107.

... Petitioner

Vs.

1. The District Collector,
Chennai District at Chennai.
2. The Revenue Divisional Officer,
Chennai Central Division,
5-73, SH 223, Gandhi Nagar,
Anna Nagar West Extension,
Chennai - 600 04.
3. The Tahsildar,
Maduravoyal Taluk,
Nolambur, Chennai - 600 095.
4. The Commissioner of Police,
Greater Chennai, Chennai - 600 007.
5. The Inspector of Police,
K-10 Koyambedu Police Station,
Chennai - 107.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus or any other appropriate writ, order or direction in the nature of writ, directing the fourth and fifth respondents to give adequate police protection to the petitioner's trust to carry on the repair of the compound wall situated in Survey No.80/1 of Nekundram Village, Maduravoyal Taluk, Chennai District by considering the petitioner's representation dated 15.02.2021.

For Petitioner : Mr.T.Murugamanikkam, Senior Counsel
for B.Gopalakrishnan

For Respondents: Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

O R D E R

The Writ Petition has been filed to direct the fourth and fifth respondents to give adequate police protection to the petitioner's trust to carry on the repair of the compound wall situated in Survey No.80/1 of Nekundram Village, Maduravoyal Taluk, Chennai District by considering the petitioner's representation dated 15.02.2021.

2. It is the contention of the learned Senior Counsel that the property was originally assigned to the Trust for running the Ashram. Now, third parties are interfering with their possession. Despite, the complaint given to the police, police is not taking any action. Hence, this writ petition.

3. Whereas, the learned Government Advocate [Criminal Side] submitted that on enquiry it is found that the land belongs to the Revenue Department and the compound wall has been demolished by the public. He further submitted that the previous complaint given by the petitioner has already been closed.

4. Heard the learned Senior Counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondents.

5. Admittedly, the petitioner is in possession of the property as per the submission of the learned Government Advocate [Criminal Side]. Whether it is an encroachment or the land belongs to the Government is a separate issue. If it is revenue Department's land, the Department shall take action as per law. At the same time, if it is not the land of the Revenue Department, the possession of the petitioner cannot be disturbed by the third party and the third party cannot destroy the compound wall. If any such incident occurs and somebody interferes with the possession of the petitioner, on the complaint of the petitioner, the police shall take appropriate action against such person who interferes with the possession or damage the property.

3. With the above directions, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

vrc

To

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Chennai District at Chennai.
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Greater Chennai, Chennai - 600 007.
5. The Inspector of Police,
K-10 Koyambedu Police Station,
Chennai - 107.
6. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.B.Gopalakrishnan, Advocate SR.No.43386

W.P. No.8801 of 2022

SR(CO)
GMY(22/07/2022)