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Sub Application No.507 of 2022 in Cont. P DR.No.67263 of 2022

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M.NIRMAL KUMAR, J.

This Sub Application is filed to accept the cause title given in the above un-numbered Contempt Petition.

2.The petitioner earlier filed a writ petition in W.P. No.27286 of 2021 seeking a direction to the Thasildar, Poonamallee Taluk, Thiruvallur District, the fourth respondent therein to submit the report regarding the survey conducted in the property of the petitioner, comprised in Survey No.668/1B, admeasuring Ac 1-19 cents, Nemam Madura, Andersonpet Village, Poonamallee Taluk, Thiruvallur District and to direct the Deputy Superintendent of Police, Anti-Land Grabbing Cell, Thiruvallur and the Inspector of Police, District Crime Branch, Thiruvallur, respondents 2 and 3 therein to take appropriate action against one Poovai Jagan Moorthiyar, the fifth respondent therein under land grabbing for his illegal encroachment in the above property and this Court, by order dated 27.01.2022, directed the District Collector as well as the Superintendent of Police, Tiruvallur to give protection to the



Sub Application No.507 of 2022 in Cont. P DR.No.67263 of 2022

petitioner and his property. Further it was observed that if the flag post found in the petitioner's property, the same to be removed and the rule of law would be followed by the fifth respondent, who is a people's representative and the Superintendent of Police and the District Collector, Tiruvallur were directed to implement the above order. Since the official respondents not complied with the order passed by this Court, the un-numbered Contempt Petition and this Sub Application were filed by the petitioner.

3.Learned counsel for the petitioner submits that the petitioner's right over the property was verified, as per revenue records and that the petitioner is the owner of the property. Thereafter, when the police force went to the place to remove the objectionable flag post, huge crowd gathered and protested for the same. In the meanwhile, the Inspector of Police, Anti Land Grabbing Cell sent a letter dated 12.02.2022 to the petitioner informing that as per G.O. Ms. Nos.1 and 6, Home (Pol.XIV) Department dated 01.01.2022 conferring Magisterial powers to the Post of Commissioners of Police of Avadi and Tambaram Police Commissionerates, the above property now falls within the jurisdiction of



Sub Application No.507 of 2022 in Cont. P DR.No.67263 of 2022

the Avadi Commissioner and therefore, the petitioner's file was forwarded to the Commissioner, Avadi for taking appropriate action. Hence, the petitioner filed this Sub Application to implead the Commissioner of Police, Avadi as party respondent.

4.Learned Additional Public Prosecutor appearing for respondents 1 to 3 submits that the Thasildar, Poonamallee Taluk sent a report dated 13.10.2022 to the Divisional Engineer, (C&M) Highways, Tiruvallur stating that the land in S.No.688/1B2 to the extent of 110 sq.m. was acquired for widening of Thirumazhisai Sathyavedu Road and seeking verification from the records as to whether any proposal pending to acquire the land in S.No.688/1B1, situated at Namem Village. Therefore, the learned Additional Public Prosecutor submits that once the report is received from the Highways Department, the order dated 27.01.2022 passed by this Court would be complied with and he seeks short accommodation to implement the above order.

5.It could be seen that the Deputy Commissioner, Avadi was informed about the order passed by this Court and in view of the same,



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Mr.Manivannan, Deputy Commissioner of Police, Redhills,
Mr.Muthuvelvandi, Assistant Commissioner of Police, Poonamallee,
Mr.Selvvam, Tahsildar, Poonamallee and Mr.Ilayaraja, Inspector of
Police, Vellavedu Police Station, all are present before this Court today,
informed that strenuous steps are being taken to remove the flag post,
without any further delay. They have also assured that once clarification
is received from the Highways Department, the flag post would be
removed by the police force.

6.In view of the petitioner's prayer, this Sub Application is allowed
and the Deputy Commissioner of Police, Avadi is impleaded as party
respondent in the Contempt Petition.

14.10.2022

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Note: Registry is directed to number the Contempt
Petition, if it is otherwise in order and post
the same on 18.11.2022.

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