



W.P.No.28310 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 26.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

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Umamageshwari

... Petitioner

Vs.

1. The Inspector of Police,
Rasipuram Police Station,
Namakkal District.

2. The Superintendent of Police,
Namakkal District, Namakkal.

.. Respondents

Prayer: Writ Petition filed under Section 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 24.06.2022 and to grant necessary protection for fencing her property measuring 13 cents (5.5Ares) comprised in Survey No.59/10 at Rasipuram Village, Rasipuram Taluk, Namakkal District.

For petitioner

: Mr.M.Sivavarthan

For respondents

: Mr.S.Santhosh

Government Advocate (Crl.side)



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ORDER

This Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 24.06.2022 and to grant necessary protection for fencing her property measuring 13 cents (5.5Ares) comprised in Survey No.59/10 at Rasipuram Village, Rasipuram Taluk, Namakkal District.

2. The learned counsel for the petitioner submitted that there exists civil dispute with regard to the above said property between the petitioner and three persons namely, Ganesan, Murugesan and Azhagarsami. He further submitted that though the petitioner got a decree in O.S.No.173 of 2016 dated 10.11.2017 in her favour, with regard to the title of the property, the above said persons prevented the petitioner from fencing her property. Therefore, the petitioner gave a representation to the first respondent to give protection for fencing the property, but it was not considered. Hence the writ petition.

3. The learned Government Advocate (Crl.Side) appearing for



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the respondents submitted that the representation of the petitioner dated 24.06.2022 is available with the respondent police and the authorities concerned will consider the same and pass order on its own merits and in accordance with law.

4. Recording the submission made by the learned Government Advocate (Crl.Side), the first respondent is directed to consider the representation of the petitioner dated 24.06.2022 and verify the documents produced by her and if the properties are demarcated by the revenue surveyor, take action on its own merits and in accordance with law, pertaining to the property measuring 13 cents (5.5Ares) comprised in Survey No.59/10 at Rasipuram Village, Rasipuram Taluk, Namakkal District, within a period of three weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

26.10.2022

Index: Yes/No



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mst

To

1. The Inspector of Police,
Rasipuram Police Station,
Namakkal District.
2. The Superintendent of Police,
Namakkal District, Namakkal.
3. The Public Prosecutor,
Madras High Court.



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V.SIVAGNANAM, J.

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