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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.NO.26758 OF 2021

P.Adalarasan

... Petitioner

Versus

1. The District Collector,
Perambalore District,
Perambalore.
2. The Superintendent of Police, (S.P.),
Perambalore District,
Perambalore.
3. The Deputy Superintendent of Police, (D.S.P.),
Prevention and Anti Corruption Wing,
Perambalore District,
Perambalore.
4. The Inspector of Police,
Kunnam Police Station,
Perambalore District.
5. N.Kannan
6. K.Palanivel
7. K.Manivannan
8. C.Sivakumar
9. P.Lakshmi
- 10.M.Chellammal
- 11.S.Manivel

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the second and third respondents to permanently prevent the illegal activities of prepare the illicit alcohol on the petitioner's agriculture land properties by fifth to eleventh respondents consequently direct the third respondent to investigate against the fourth respondent police peoples for screening the fifth to eleventh respondents illegal activities of corrupt practice.



For Petitioner : Mr.T.V.G.Kartheeban
For R1 to R4 : Mr.E.Raj Thilak
Additional Public Prosecutor

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O R D E R

This Writ Petition is filed to direct the second and third respondents to permanently prevent the illegal activities of prepare the illicit alcohol on the petitioner's agriculture land properties by fifth to eleventh respondents consequently direct the third respondent to investigate against the fourth respondent police peoples for screening the fifth to eleventh respondents illegal activities of corrupt practice.

2.The petitioner had sent a representation dated 03.12.2021 to the District Collector, Perambalore; Superintendent of Police, Perambalur; Deputy Superintendent of Police, Perambalore and Inspector of Police, Kunnam. Despite the same, no action has been taken.

3.The petitioner owns a land in Survey No.205/1A2 measuring to an extent of 0.8.25 hectares situated at Kovilpalayam, Thngapuram post, Kunnam Taluk, Perambalore District. One Kannan, Palanivel, Manivannan, Sivakumar, Lakshmi, Chellammal and Manivel, who claimed to be the adjacent owners entered into the petitioner's property for consuming alcohol. The petitioner took several steps to stop the illegal activities. They are claiming to be the members of a radical group and threatening the petitioner. The petitioner earlier on 08.10.2021 approached Thasildar, Kunnam to survey the land. The Thasildar directed the Surveyor to survey the land of the petitioner. On 16.10.2021, the Surveyor marked the boundaries and fencing pillars were installed. After the Surveyor left the property, the above mentioned persons using JCB machine had removed the corner stones, fencing pillar stones and dug a trench, made place for drinking alcohol. Hence the petitioner sought police protection for his land as well as to stop the illegal activities of the above mentioned persons in the complaint. The intruders belonging to the radical group, are millitant and threatening the petitioner. The petitioner in support of his contention produced the photo copy of the Surveyor's report.

4.The learned Additional Public Prosecutor submits that the petitioner to approach the respondent police along with the copy of the complaint and relevant documents and materials. Thereafter the respondent police would make necessary arrangements to protect the petitioner and his property, by providing necessary force and security.



5.This Court finds that the complaint is of serious in nature. Unless proper protection is given to the petitioner and the property of the petitioner or any common man cannot continue the normal avocation. The illegal act is allowed to continue the common man would lead a life in a compressed and surcharged manner.

6.Considering the submissions and on perusal of materials, this Court finds that the complaint is serious in nature. In view of the same, the petitioner is directed to appear before the Deputy Superintendent of Police, Perambalore on 08.02.2021, along with the copy of this order and the copy of the complaint and the documents in support of his contention. Thereafter, the Deputy Superintendent of Police, Perambalore is directed to conduct enquiry and take appropriate steps in this regard.

7.Accordingly, this Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS-VII)

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Sub Assistant Registrar

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To

1. The District Collector,
Perambalore District,
Perambalore.
 2. The Superintendent of Police, (S.P.),
Perambalore District,
Perambalore.
 3. The Deputy Superintendent of Police, (D.S.P.),
Prevention and Anti Corruption Wing,
Perambalore District,
Perambalore.
 4. The Inspector of Police,
Kunnam Police Station,
Perambalore District.
 5. The Public Prosecutor,
High Court, Madras.
- +1cc to M/s.T.V.G.Kartheeban, Advocate, S.R.No.4540

W.P.No.26758 of 2021

KSM(CO)

RLP(14/02/2022)