



W.P.No.29645 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2022

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P.No.29645 of 2022

S.Prasanth

...

Petitioner

/vs/

1.The District Collector,
Villupuram District,
Villupruam.

2.The Superintendent of Police,
Villupuram District,
Villupruam.

3. The Inspector of Police,
Villupuram Town Police Station,
Villupruam.

...

Respondents

Prayer : Writ Petition has been filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the 1st and 2nd respondents to consider the petitioner's representation dated 29.08.2022 and provide protection for construction of house at the land measuring about 1199.00 sq.ft situated in Old T.S.Nos.31/1, 34/1 Part, 34/3 Part, 34/4 Part, New T.S.Nos.205/1A & 225, R.S.No.163/2 Part, 163/2A Part, 163/2B Part, 167/2, 168/1, 168/3, Ward-B, Old Block-15, New Block 40, Keelperumpakkam Village, Villupuram Town marked as MIC Plot No.B-117, in the sanctioned Plan of Keelperumpakkam Phase -I



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Neighbourhood scheme thereby protect the petitioner's Right to Property.

WEB COPY

For Petitioner ... Mr.H Mohamed Ghouse
Kanz Mohamedi.
For Respondents ... Mr.S.Santhosh
Government Advocate (crl.side)

ORDER

The Writ Petition has been filed for seeking direction against 1st and 2nd respondents to consider the petitioner's representation dated 29.08.2022 and provide protection for construction of house at the land measuring about 1199.00 sq.ft situated in Old T.S.Nos.31/1, 34/1 Part, 34/3 Part, 34/4 Part, New T.S.Nos.205/1A & 225, R.S.No.163/2 Part, 163/2A Part, 163/2B Part, 167/2, 168/1, 168/3, Ward-B, Old Block-15, New Block 40, Keelperumpakkam Village, Villupuram Town marked as MIC Plot No.B-117, in the sanctioned Plan of Keelperumpakkam Phase -I Neighbourhood scheme and thereby protect the petitioner's Right to Property.

2. Heard the submissions made by either side and perused the materials available on record.

3. The learned counsel for the petitioner submitted that pursuant to the



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allotment made by the Tamil Nadu Housing Board, the petitioner had started to make construction in the site after getting due approval. But some unknown persons came and threatened the petitioner and his wife and in this regard he had already given a complaint to the third respondent police. So far it is not possible for the petitioner to continue their construction and hence a direction should be given for police protection.

4. The learned Government Advocate (Crl.side) for the respondent police submitted that on the complaint given by the petitioner a case has been registered in Crime No.113/2022 for the offences under Sections 294(b), 341, 441 and 506 (ii) of IPC on the file of third respondent police.

5. In the First Information Report the names of the accused have been mentioned. Hence, it is obligatory on the part of the third respondent police to move further and do the needful in accordance with law. After having registered a criminal case, if the accused are allowed to leave, there is every possibility for the accused to do the very same offences repeatedly. Hence, the third respondent police is directed to do the needful and complete the investigation and file their charge sheet within a period of three weeks from the date of receipt of a copy of this order.



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jrs

6. However, the third respondent can consider the petitioner's representation for seeking police protection and do the needful. The petitioner is also at liberty to file a civil proceedings against the named accused, if her construction is obstructed by anyone, and seek civil remedy.

With the above observation, this Writ Petition is **disposed of**. No costs.

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jrs

Internet: Yes/No

Index: Yes /No

Speaking /Non Speaking

To

1. The District Collector,
Villupuram District, Villupuram.
2. The Superintendent of Police,
Villupuram District, Villupuram.
3. The Inspector of Police,
Villupuram Town Police Station,
Villupuram.
4. The Public Prosecutor,
High Court, Madras.

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