



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 19.05.2022

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

W.P(MD) .No.10068 of 2022

R.Murugesan

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
Ummachikulam Police Station,
Madurai.

3.M.Babu

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus, directing the respondents 1 and 2 to give police protection to give effect to the order passed in eviction petition No.5 of 2021 by the Estate Officer in his order, dated, 08.12.2021.

For Petitioner : Mr.M.Karunanithi
For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

O R D E R

This writ petition has been filed to direct the respondents 1 and 2 to give police protection to give effect to the order passed in eviction petition No.5 of 2021 by the Estate Officer in his order, dated, 08.12.2021.

2.The petitioner has filed eviction petition in E.P.No.5 of 2021, seeking direction to the third respondent to vacate and handover vacant possession of the petition mentioned property. The same was allowed by order, dated, 08.12.2021 directing the third respondent to vacate and handover vacant possession of the petition mentioned properties within 21 days. Though 9 months lapsed, the third respondent has not vacated the said premises. The petitioner has also sent a representation to the respondents 1 and 2 on 11.05.2022. Since no action was taken by the official respondents, this Writ Petition has been filed.



3.Heard Mr.M.Karunanithi, learned Counsel appearing for the petitioner and Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for respondents 1 and 2.

4.On perusing the records, it is seen that the third respondent did not appear before the authorities for the enquiry also. The order was passed on 08.12.2021. So far no appeal is pending as per the contention made by the learned counsel for the petitioner. The reasons stated by the learned counsel for the petitioner are also justifiable.

5.Therefore, this Court directs the second respondent to give police protection to implement the order, dated 08.12.2021, in eviction petition No.5 of 2021 passed by the Estate Officer.

6. Hence, this Writ Petition is allowed. There shall be no order as to costs.

Sd/-

Vacation Officer/
Assistant Registrar (CS-III)

// True Copy //

/ /2022
Sub Assistant Registrar(CS)

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To

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
Ummachikulam Police Station,
Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.KARUNANITHI, Advocate (SR-23825[F] dated 19/05/2022)

+1 CC to M/s.M.KARUNANITHI, Advocate (SR-23733[F] dated 18/05/2022)

W.P (MD).No.10068 of 2022

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