



W.P(MD)No.15286 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:15.07.2022

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.15286 of 2022

S.Marimuthu

... Petitioner

Vs.

1.The Superintendent of Police,
Pattukkottai, Thanjavur District.

2.The Inspector of Police,
Pattukkottai Police Station,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents particularly the second respondent to take appropriate action on the petitioner's complaint as expeditiously as possible and also to consider his representation, dated 07.07.2022.

For Petitioner : Mr.R.Srinivasan

For Respondents : Mr.M.Sakthikumar

Government Advocate (Crl. side)



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ORDER

This writ petition has been filed in the nature of Mandamus, seeking a direction to the second respondent to take appropriate action on the petitioner's complaint as expeditiously as possible and also to consider his representation, dated 07.07.2022.

2.The case of the petitioner is that the petitioner is the Manager of the Society, namely, M/s.Kremmer Sandegren Foundation, Pattukottai. The said society is having various properties and one of the property is situated at Pattukottai Town, Block No.4 in old S.No.43/1 in T.S.120, to an extent of 8 acres and 44 cents, which contains some building and some vacant land and at present, the revenue documents like patta, FMP map, Adangal register and “A” register of the said vacant site, stands in the name of the said Society. Moreover, the said property was purchased by the Church of Swedan Mission in 1902 and in the year 2005 the said society and Church of Swedan Mission were amalgamated by the order passed by the Competent Civil Court and still it was under the possession and control of the said society. While being so, on 30.03.2017, an



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another Christian Society, namely, TELC claiming title and rights over the said land, tried to encroach the said property. Hence, the dispute was referred to the Revenue Divisional Officer, Pattukottai on 30.03.2017 and the Revenue Divisional Officer passed an order and directed both the parties should not use the said property until either of the party obtained order from the competent Court or any other means to prove that they have a proper title over the said property. Hence, the said property was vacant since the year 2017 without any hindrance. Thereafter, on 24.06.2022, some persons trespassed into the vacant site. When the same was questioned by the petitioner, one person, namely, Venkatesh Babu, who is running a circus company, has stated that they have obtained oral permission from TELC society, to clean the said land and to run a circus show in the said place and also threatened the petitioner and other society members with dire consequences and gave life threat.

3.The learned counsel for the petitioner submitted that they have already submitted a representation, dated 07.07.2022 to the first respondent and C.S.R. came to be registered, but, subsequently, no action was taken.



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4. When the matter is taken up for hearing today, the learned Government Advocate (Crl. side) submitted that enquiry is pending and that the respondent police is ready to consider the petitioner's representation.

5. In view of the above, the second respondent police is directed to consider the representation, dated 07.07.2022 and pass orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition stands disposed of.
No costs.

15.07.2022

Index : Yes/No
Internet : Yes/ No
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To

1. The Superintendent of Police,
Pattukkottai, Thanjavur District.

2. The Inspector of Police,
Pattukkottai Police Station,
Thanjavur District.



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

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K.MURALI SHANKAR, J

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