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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.05.2023

CORAM

THE HON'BLE MR.JUSTICE A.A.NAKKIRAN

W.P.No.15502 of 2023
and W.M.P.Nos.15043 and 15044 of 2023

1. Yogalaxmii, K.S.

2. K.Santhosh Kumar

...Petitioners

VS.

1. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.

2. The Inspector of Police,
Tiruttani Police Station,
Tiruttani,
Thiruvallur District.

3. S.Balasubramaniam

4. R.Annamalai

5. E.Pushparaj

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 and 2 to give adequate police protection to put up construction in the property measuring 1398 sq.ft., comprised in new S.No.94/1A1A (Old S.F.No.94/1A1B), Agoor Group Amirthapuram Village, Tirutani Taluk,



Thiruvallur District, as per the judgment and decree dated 06.01.2016 made in O.S.No.97 of 2014 on the file of the learned Sub Court, Tiruttani in line with the ***Radhika Sri Hari case (2014(2) CTC 695)***, by considering the petitioners' representations dated 09.02.2023, 23.02.2023, 11.05.2023 and 13.05.2023.

For Petitioners : Mr.N.Manoharan

For Respondents : Mr.S.Vinoth Kumar
Government Advocate (Crl. Side)
for RR-1 and 2

ORDER

The petitioners have filed this Writ Petition praying for issuance of a Writ of Mandamus to direct the respondents 1 and 2 to give adequate police protection to put up construction in the property measuring 1398 sq. ft., comprised in new S.No.94/1A1A (Old S.F.No.94/1A1B), Agoor Group Amirthapuram Village, Tirutani Taluk, Thiruvallur District, as per the judgment and decree dated 06.01.2016 made in O.S.No.97 of 2014 on the file of the Sub Court, Tiruttani in line with the ***Radhika Sri Hari case (2014(2) CTC 695)***, by considering the petitioners' representations dated 09.02.2023, 23.02.2023, 11.05.2023 and 13.05.2023.

2. Heard both sides and perused the materials available on record.



3. Taking into consideration the factual aspects of the matter, this Court, without going into the merits of the case, directs the respondents 1 and 2 to consider the representation of the petitioner, dated 13.05.2023 alone, conduct enquiry, give an opportunity of personal hearing to the petitioner and other necessary parties including the respondents 3 to 5 herein and pass appropriate orders on merits and in accordance with law within a period of two weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner and it is for the respondents 1 and 2 to decide the same.

4. With the above observations and directions, the Writ Petition is disposed off. No costs. Consequently, connected miscellaneous petitions are closed.

17.05.2023

Index : Yes / No
Speaking Order : Yes / No
Neutral Citation : Yes / No
mfa/grs



To

WEB COPY

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



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A.A.NAKKIRAN., J.

mfa/grs

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