



W.P.No.24710 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.24710 of 2023

A.Murugesan

...Petitioners

vs.

1.The Superintendent of Police,
Erode District.

2.The Inspector of Police,
Erode Taluk Police Station,
Erode District.

3.Subramaniyan @ Pattalathar

4.Mallika

5.Duraisamy

6.Senthilkumar

7.Murugan @ Murugesan

...Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents 1 and 2 to provide



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police protection to fence the petitioner property measuring to an extent of 0.26½ cents situated in R.S.No.329/6 in Modavaandi Sathyamangalam Village, now referred as Kaspā Pettai B Village, Modakurichi Taluk, Erode District by considering petitioner representation dated 02.08.2023 by appreciating the above stated facts.

For Petitioners : Mr.M.Guruprasad

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor
for R1 and R2

ORDER

This writ petition has been filed for a direction to the respondent police to provide a police protection based on the representation made on 02.08.2023 in order to enable the petitioner to fence the subject property.

2. The specific case of the petitioner is that there is already a civil Court decree in favour of the vendor of the petitioner and the petitioner had purchased the property from the successful third plaintiff in the suit in OS.No.401 of 2009. When the petitioner attempted to fence the property, the same was resisted by the respondents 3 to 7, who lost the said suit. In view of the same, a representation was made to the respondent police seeking for police protection.



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WEB COPY 3. The learned Additional Public Prosecutor submitted that the complaint was taken on file and the same is pending in Current Paper No.1299/G3SP/SDO/ET/2023.

4. Taking into consideration the facts and circumstances of the case and the civil decree that has been brought to the notice of this Court, there shall be a direction to the second respondent to deal with the complaint dated 02.08.2023 on its own merits and in accordance with the law and a decision shall be taken within a period of 2 weeks from the date of receipt of copy of this order.

5. This writ petition is disposed of in the above terms.

22.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
nsa



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N. ANAND VENKATESH, J.

nsa

To

- 1.The Superintendent of Police,
Erode District.
- 2.The Inspector of Police,
Erode Taluk Police Station,
Erode District.
- 3.The Public Prosecutor,
Madras High Court, Chennai 600 104..

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