



W.P(MD)No.10389 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.10389 of 2023

and

W.M.P (MD) No.9195 of 2023

P.Thirumoorthy

... Petitioner

Vs.

1. State Rep. by,
The District Collector,
Collectorate Campus, Dindigul.
2. State Rep. by,
The Superintendent of Police,
O/o.The Superintendent of Police,
Dindigul District.
3. State Rep. by,
The Deputy Superintendent of Police,
Vedasandur, Dindigul District.
4. State Rep. by,
The Inspector of Police,
Vadamadurai Police Station,
Dindigul District.
5. Boomidurai
6. Vellaichamy



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7. Andi

8. Oomaiyan @ Chinnan

... Respondents

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner representation dated 20.03.2023 and direction to the 2nd respondent to direct the respondents 3 and 4 forbearing the respondents 5 to 8 from any manner interfering with the peaceful possession and enjoyment of the petitioners property situated in S.No.103/2 to an extent of 0.18.0 Hectare i.e., 47 cents, S.No.44/A to an extent of 0.27.5 Hectare i.e., 68 cents, S.No.97/3 to an extent 0.13.0 Hectare i.e., 0.32 cents, S.No.40/1 to an extent of 0.14.0 Hectare i.e., 35 cents and S.No.40/2 to an extent of 0.17.5 Hectare i.e., 0.43 cents totally measuring to an extent of 2 Acres 25 cents at A.Kombai Village, Vedasandur Taluk, Dindigul District.

For Petitioner : Mr.R.Senthilkumar

For Respondents : Mr.B.Nambiselvan

Additional Public Prosecutor

ORDER

The writ petitioner filed this Writ Petition seeking issuance of a Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner representation dated 20.03.2023 and direction to the 2nd respondent to direct the respondents 3 and 4 forbearing the respondents 5 to 8 from any manner interfering with the peaceful possession and enjoyment of the petitioners property.



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2. When the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondent police submitted that based upon the representation given by the petitioner dated 20.03.2023, enquiry was undertaken. During the course of enquiry, it was found that due to land dispute between the parties, a suit in O.S.No.271 of 2007 is pending before the District Munsif Court, Vedasanthur. Now the grievances of the petitioner is that while pending the suit, the private respondents illegally evicted the petitioner. Therefore, he seeks police protection.

3. Since the suit is pending between the parties, the question of granting police protection does not arise.

4. In view of the above submission, this writ petition is disposed of with a direction to the petitioner to workout his remedy through the appropriate proceedings subject to the outcome of the suit. No Costs. Consequently, the connected Miscellaneous Petition is closed.

28.04.2023

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
TTA



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To

1. The District Collector,
Collectorate Campus, Dindigul.
2. The Superintendent of Police,
O/o.The Superintendent of Police,
Dindigul District.
3. The Deputy Superintendent of Police,
Vedasandur, Dindigul District.
4. The Inspector of Police,
Vadamadurai Police Station,
Dindigul District.



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G.ILANGO VAN,J

TTA

Order made in
W.P(MD)No.10389 of 2023

Dated : 28.04.2023