



W.P(MD)No.11046 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:05.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.11046 of 2023

V.Easwaran

... Petitioner

Vs.

1. The District Collector,
Theni District,
Theni.

2. The Superintendent of Police,
Theni District,
Theni.

3. The Inspector of Police,
Theni Town Police Station,
Theni.

... 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 to consider the representation of the petitioner dated 14.03.2023 for adequate police protection.

For Petitioner : Mr.S.Ramsundarvijayraj

For Respondents : Mr. B.Nambiselvan
Additional Public Prosecutor



W.P(MD)No.11046 of 2023

ORDER

WEB COPY

The Writ Petition has been filed to direct the respondents to consider the representation of the petitioner dated 14.03.2023 for adequate police protection.

2. The learned counsel for the petitioner would submit that because of the family property issue, a suit in O.S.No.71 of 1985 was filed before the Sub Court, Uthamapalayam, by this petitioner along with some other persons. Originally, the above said suit was filed by one Malathy, who is the wife of the petitioner. After her death, the above said process was continued by this petitioner along with legal representatives of the said Malathy. Now the Final Decree has been granted in I.A.No.1 of 2021 in O.S.No.354 of 2021. Further he would submit that now E.P. is pending before the Sub Court, Uthamapalayam, for delivery of the property allotted to the petitioner. Pending the above said proceedings, now trouble has been made by the private parties by entering into the above said property. So, the petitioner made a representation to evict them from the above said property.



W.P(MD)No.11046 of 2023

3. The learned Additional Public Prosecutor would submit that the representation of the petitioner is entirely different from the subject matter, wherein, it has been stated that they sought relief for cancellation of bail that was granted to the private respondents for facing trial in C.C.No.119 of 2015 on the file of the Judicial Magistrate Court, Theni and the second request was that to remove the above said encroachment.

4. With regard to the second request, that cannot be considered by the official respondent, who is the third respondent herein. With regard to the first request, the petitioner may proceed or pursue the matter in accordance with law before the concerned Court. The above said representation shall be disposed of immediately by directing the petitioner to workout his remedy in the pending E.P. Proceedings itself.

5. With the above said direction, this Writ Petition stands disposed of. No costs.

05.06.2023

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

Indu



WEB COPY



W.P(MD)No.11046 of 2023

G.ILANGOVA, J

Indu

To

1. The District Collector,
Theni District,
Theni.
2. The Superintendent of Police,
Theni District,
Theni.
3. The Inspector of Police,
Theni Town Police Station,
Theni.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
W.P(MD)No.11046 of 2023

Dated :05.06.2023