



W.P.(MD) No.17367 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD) No.17367 of 2023

Harilal

... Petitioner

/vs./

1.The Inspector of Police,
M.Kallupatti Police Station,
Madurai.

2.Kasimayan

3.Poopandi

4.Maliyan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to give adequate police protection to the life and limb of petitioner and his family members while put up the fencing in S.No.163/4B, 163/8A in Thullakutty Nayakanur Village, Peraiyur Taluk, Madurai District.



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For Petitioner : Mr.RM.Arun Swaminathan

For R1 : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)

ORDER

This petition is filed seeking for a direction to the respondent police to provide adequate police protection to the life and limb of the petitioner and his family members while fencing his property in S.Nos.163/4B and 163/8A at Thullakutty Nayakanur Village, Peraiyur Taluk, Madurai District.

2.It is submitted by the learned counsel for the petitioner that the petitioner, who has migrated from the State of Kerala, has purchased the landed property in S.Nos.163/4B and 163/4A to an extent of 40 cents at Thullakutty Nayakanur Village, Peraiyur Taluk, Madurai District from one Nagarajan and Nagendran under a registered document bearing No.769/2023 on the file of the Ezhumalai Registration Office dated 06.03.2023. It is also submitted that the respondent Nos.2 to 4 have offered to sell their lands to the petitioner. However, the petitioner on account of paucity of funds could not purchase the same, thereby the respondent Nos.2 to 4 stated to have obstructed the petitioner from fencing the land purchased by him.



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3.Earlier, when the respondent Nos.2 to 4 raised objections, the petitioner has filed a representation before the respondent No.1 police and the same was numbered as C.S.R.No.187 of 2023 and during the course of enquiry, the respondent Nos.2 to 4 stated to have given an undertaking that they will not intervene and in spite of that, again the respondent Nos.2 to 4 stated to have tried to intervene and obstruct the petitioner from fencing the land, thereby he has filed one more complaint before the police seeking suitable protection and the same was registered as C.S.R.No.382 of 2023.

4.The learned Government Advocate (Crl.side) submits that subsequent to the undertaking given in the earlier CSR, one more complaint has been received from the petitioner seeking police protection and the respondent No.1 police would complete the enquiry by giving notice to both the parties within a period of two weeks. The same is recorded.

5.Considering the submissions made by the learned Government Advocate (Crl.side), this Petition is disposed of by directing the respondent No.1 police that



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in case if it is a case, where protection is required to be given, appropriate protection have to be given to the petitioner, in case if the respondent Nos.2 to 4 are unjustly trying to obstruct the petitioner from fencing the land. No costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

20.07.2023

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To

The Inspector of Police,
M.Kallupatti Police Station,
Madurai.



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DR.D.NAGARJUN, J.

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