



W.P.(MD)No.18131 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.18131 of 2023

G.Ravikumar

... Petitioner

Vs

1.The Superintendent of Police,
O/o. the Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Viruveedu Police Station, Viruveedu,
Dindigul District.

3.K.Loyarvadan

4.K.Panjavadan

5,K.Kamatchivadan

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to give police protection to the life, limb and liberty of the petitioner for quarrying work situated in Survey No.79-Part, of 1.00.0 Hecter out of 2.56.0 Hectors, Kallankuthoo Purambokekal, Rengappa Naickenpatty Village, Nilakkottai Taluk, Dindigul District, on the basis of the representation or consider the representation of the petitioner dated 15.07.2023 within stipulated period.



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For Petitioner : Mr.R.Santhanam

For R-1 & R-2 : Mr.B.Thanga Aravindh
Government Advocate (Criminal side)

ORDER

This Writ Petition is filed seeking for a direction to dispose of the representation dated 15.07.2023 given by the petitioner within a time stipulated.

2. According to the learned counsel, the petitioner has become successful bidder in respect of the mining of a quarry and after completing the formalities of payment of requisition fees and enter into agreement with the Mining Department, however, the unofficial respondent Nos.3 to 5 stated to have raised objections, when the petitioner about to start mining, the petitioner has approached the Tahsildar and the Tahsildar with the help of the Police has also conducted survey and even as per the survey, the Tahsildar concluded that respondent Nos.3 to 5 have no claim in respect of the land, which is leased out by the Government. The petitioner, therefore, has sent an application, dated 15.07.2023, requesting them to provide suitable police protection for doing the mining work. However, the respondent Police have not taken any action, thereby, sought for suitable directions.



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3. Learned Government Advocate (Criminal Side) on the other hand, submits that, the representation has been numbered as C.S.R.No.196 of 2023 was forwarded to the Revenue Authority and further submits that though the Tahsildar has requested the Police to provide protection at the time of survey as per the letter, dated 10.07.2023, the survey has not been conducted, thus, However, learned counsel for the petitioner claims that the Police have provided the protection and survey was conducted peacefully on 12.07.2023.

4. Considering the submissions of both sides, the respondent Police are directed to make an enquiry with regard to fresh complaint given by petitioner, dated 15.07.2023 and if at all, the Tahsildar has conducted the survey and if the outcome of the survey discloses that unofficial respondents have no claim in respect of the land leased out to the petitioners, respondent Nos.1 and 2 / Police are directed to provide suitable Police protection within a period of two weeks from the date of receipt of a copy of this order.

5 With the above direction, the Writ Petition stands disposed of.

No costs.

28.07.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg

<https://www.mhc.tn.gov.in/judis>



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DR.D.NAGARJUN, J.

tsg

To

- 1.The Superintendent of Police,
O/o. the Superintendent of Police,
Dindigul District.
- 2.The Inspector of Police,
Viruveedu Police Station, Viruveedu,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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