



W.P.(MD)No.22284 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.22284 of 2023

Dhanapackiam

... Petitioner

Vs

1.The Superintendent of Police,
Pudukkottai District, Pudukkottai.

2.The Tahsildar,
Avudaiyarkovil Taluk,
Pudukkottai District.

3.The Deputy Superintendent of Police,
Kottaipattinam Division,
Avudaiyarkovil,
Pudukkottai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to provide police protection to fence his land in Survey No.73/1A situated at Soundranayagipuram, Avudaiyarkovil Taluk, Pudukkottai District, as per the letter dated 19.07.2023 in Na.Ka.No.L-2/19703/145/2023.

For Petitioner : Mr.S.Vani

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)



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ORDER

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This Writ Petition is filed seeking for a direction to the respondents 1 to 3 to provide police protection at the time of fencing in the petitioner's land in Survey No.73/1A situated at Soundranayagipuram, Avudaiyarkovil Taluk, Pudukkottai District, as per the letter dated 19.07.2023 in Na.Ka.No.L-2/19703/145/2023.

2. It is submitted by the learned counsel appearing for the petitioner that the petitioner has approached the first respondent Police for providing protection at the time of fencing of his land in Survey No.73/1A situated at Soundranayagipuram, Avudaiyarkovil Taluk, Pudukkottai District and as per the directions of the first respondent Police, the petitioner has also deposited a sum of Rs.10,919/- (Rupees Ten Thousand Nine Hundred and Nineteen only), on which, the first respondent is stated to have directed the third respondent to depute one Sub-Inspector of Police and two Constables at the time of fencing and the respondent No.2/Tahsildar has fixed the date for fencing on 19.07.2023. However, on that date, the respondent No.3 Police have not provided the police protection and thereby, the fencing could not be taken up. Therefore, he sought for suitable directions.



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3. The learned Government Advocate (Criminal side) appearing for the respondents Police fairly concedes that on that date, when the fencing was proposed to be done, the protection could not be given on account of the fact that the Police were busy in other duties. It is further submitted that whatever the date may be fixed by the Tahsildar, the respondent No.3 Police will provide Police protection.

4. Considering the circumstances, this Writ Petition is disposed of directing the petitioner to approach the respondent No.2/Tahsildar by fixing a fresh date for fencing and also to intimate the date of fencing to the respondent No.3 Police so that the third respondent Police would provide protection as required by the Police.

5. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

13.09.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
ssb



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To

- 1.The Superintendent of Police,
Pudukkottai District, Pudukkottai.
- 2.The Tahsildar,
Avudaiyarkovil Taluk,
Pudukkottai District.
- 3.The Deputy Superintendent of Police,
Kottaipattinam Division,
Avudaiyarkovil,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN, J.

ssb

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