



W.P(MD)No.24949 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.24949 of 2023

George

... Petitioner

Vs.

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

2.The Inspector of Police,
Manavalakurichi Police Station,
Kanniyakumari District.

3.The Superintending Engineer,
Kothaiyar Basin Division,
Nagercoil,
Kanniyakumari District.

4.Ravichandran

5.Solomon Rajan

6.Johnrose

7.Vijayakumar

8.Selvan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of



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India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to give adequate police protection for laying bridge in Survey No.182/5 situated at Vellimalai Village, Kanniyakumari District, in the light of the proceedings of the 3rd respondent in Ka.No.Va2/Pa-1-6/4-1/2023, dated 29.05.2023, within a time frame as fixed by this Court.

For Petitioner : Mr.C.Jeya Prakash

For Respondents : Mr.R.M.Anbunithi for R1 to R3
Additional Public Prosecutor

ORDER

This writ petition has been filed for issuance of Writ of Mandamus, directing the 2nd respondent to give adequate police protection for laying bridge in Survey No.182/5 situated at Vellimalai Village, Kanniyakumari District, in the light of the proceedings of the 3rd respondent in Ka.No.Va2/Pa-1-6/4-1/2023, dated 29.05.2023, within a time frame as fixed by this Court.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor, who appearing for the State. Considering the facts and circumstances of the case, notice to the private respondents



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are dispensed with.

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3.The learned counsel for the petitioner would submit that the petitioner has sent a representation to the Superintendent of Police, Kanniyakumari District, seeking appropriate action against the private respondents, making some allegations against them. He would further submit that the petitioner has obtained permission from the District Collector, to lay Bridge between his land to the public Road. During the commencement of the above said work, the private parties objected the same and also criminally intimidated them. Hence, seeking police protection to carry out the above said work, the above said complaint/representation has been given before the Superintendent of Police. Since the same was not considered till now, he has come forward with this petition.

4.The learned Additional Public Prosecutor would submit that even though permission has been granted by the District Collector, Kanniyakumari District, to lay the above said Bridge connecting the petitioner's land and the public Road, because of the objection that has been made by the Villagers, now C.S.R.No.383 of 2023 has been



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registered. Therefore, the matter has been now referred to the Sub Collector, Padmanabhapuram, for initiating action under Section 107 Cr.P.C., by the letter, dated 09.09.2023. Therefore, the matter is now pending before the Sub Collector, Padmanabhapuram.

5.Let the parties appear before the Sub Collector, Padmanabhapuram and workout their remedy before him. There is no question of police protection for carrying out the work to either of the parties at this stage. Depending upon the outcome of the above said proceedings, the aggrieved parties can workout their remedy through appropriate proceedings.

6.With the above said directions, this writ petition stands disposed of. No costs.

16.10.2023

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
TM

To

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



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- 2.The Inspector of Police,
Manavalakurichi Police Station,
Kanniyakumari District.
- 3.The Superintending Engineer,
Kothaiyar Basin Division,
Nagercoil,
Kanniyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J

TM

Order made in
W.P(MD)No.24949 of 2023

Dated : 16.10.2023