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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.700 of 2024

Ramesh
S/o.Rangappa ... Petitioner

Vs.

1.The Inspector of Police,
Mathigiri Police Station,
Hosur, Krishnagiri District.

2.The Thasildar,
Hosur Taluk, Krishnagiri District.

3.Shailaja
W/o.Jeganathan

4.Rajamma
W/o.Sampangi @ Sampangiyappa

5.Kiran
D/o.Jeganathan

6.Mathan
S/o.Kemparaj ... Respondents

Prayer: Writ Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of mandamus directing the first

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respondent to provide adequate police protection while surveying petitioner's property comprised in S.No.48/5C measuring to an extent of 2240 sq.ft., S.No.48/5B measuring to an extent of 2240 sq.ft., S.No.48/5A1A measuring to an extent of 2205 sq.ft. in all totally 6685 sq.ft. situated at Kothagondapalli Village and Post, Hosur Taluk, Krishnagiri District by considering petitioner's representation dated 05.12.2023 within a stipulated period.

For Petitioner : Mr.M.Mohamed Riyaz

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1 & R2]

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O R D E R

This writ petition has been filed for issuance of a writ of mandamus directing the first respondent to act upon the representation made by the petitioner dated 05.12.2023 wherein the petitioner has sought for police protection for surveying the property.

2. The petitioner has based his right on the civil Court decree that was passed in O.S.No.160 of 2013, dated 07.11.2013. According to the petitioner, this decree was obtained against the respondents 3 and 4 by the petitioner's wife. The wife of the petitioner, thereafter, had settled the property in favour of the petitioner through a registered settlement deed

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dated 07.12.2022. When the petitioner was attempting to survey the property, some disturbance was caused. Therefore, the petitioner sought for police protection. Since the representation was not considered, the present writ petition has been filed before this Court.

3. Learned Additional Public Prosecutor, on instructions, submitted that the police have not received the representation dated 05.12.2023.

4. Learned counsel for petitioner submitted that the representation dated 05.12.2023 has been received by the police and it has also been acknowledged.

5. Taking into consideration the facts and circumstances of the case and the nature of grievance that was expressed by the petitioner, there shall be a direction to the petitioner to submit a fresh complaint before the first respondent. On receipt of the same, the first respondent is directed to conduct an enquiry and take a decision in accordance with law within a period of two (2) weeks from the date of receipt of the complaint from the petitioner.

N.ANAND VENKATESH, J.

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This Writ Petition is disposed of with the above direction. No costs.

11.01.2024

Speaking Order/Non-speaking Order
Index :Yes/No
Neutral citation: Yes/No
gm

To

1.The Inspector of Police,
Mathigiri Police Station,
Hosur, Krishnagiri District.

2.The Thasildar,
Hosur Taluk, Krishnagiri District.

3. The Public Prosecutor,
High Court, Madras.

W.P.No.700 of 2024

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