



W.P.No.25920 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 11.03.2024

CORAM

THE HONOURABLE MR JUSTICE N.ANAND VENKATESH

W.P.No.25920 of 2023

Tmt.Parvathiammal

.. Petitioner

Vs.

1. The State of Tamil Nadu,
Thiruvallur,
Thiruvallur District
2. The Deputy Superintendent of Police,
Thiruthani
Thiruvallur District.
3. The Inspector of Police,
R.K.Pet Police Station,
Thiruvallur District.
4. The Revenue Divisional Officer
R.K.Pet,
Thiruvallur District.
5. The Tahsildar,
R.K.Pet,
Thiruvallur District.
6. Thiru Palani
7. Thiru Prabu



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8. Tmt Devayani

9. Thiru Dubai Shankar

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India seeking for issuance of a writ of Mandamus directing the respondents 1 to 3 to provide police protection for fencing the agricultural land of the petitioner in S.No. 38/1A1 to the extent of 4.73 acres situated at Villakkanampoodi Village R.K. Pet Taluk Thiruvallur District based on the proceedings in Na.Ka.No. 3099/ 2022/ A1 dated 1.02.2023 on the file of the 4th respondent and Na.Ka.No. 537/ 2022/ A2 dated 7.11.2022 on the file of the 5th respondent and also by invoking section 21 of Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Act.

For Petitioner	: Mr.V.Elangovan
/	
For Respondents	: Mr.A.Gopinath Government Advocate fore R1 to R5 Mr.Chockalingam for R6 to R9



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ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondent police to act upon the representation / complaint given by the petitioner on 20.11.2021 and to provide police protection to the petitioner and fence her property.

2. The Learned counsel appearing on behalf of respondents 6 to 9 respondents relying upon the counter affidavit filed by the 1st respondent submitted that the respondents are in possession and enjoyment of the property and that the suit is already pending in OS No.57 of 2023 before the District Munsif and Judicial Magistrate, Pallipattu. The learned counsel for the petitioner on the other hand is relying upon the order passed by the RDO dated 01.02.2023 in order to contend that the petitioner is in possession and enjoyment of the property.

3. The learned Government Advocate submitted that the complaint given by the petitioner on 06.03.2023 is pending before the 3rd respondent.



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4.The petitioner is directed to co-operate with the Police for enquiry and the respondent Police shall conduct the enquiry keeping in mind the judgment in *Lalitha Kumari vs. Government of Uttar Pradesh* reported in **2013 (6) CTC 353**. On completion of the enquiry, the respondent Police shall take a decision regarding the further course of action. This process shall be completed by the respondent Police within a period of four weeks from the date of receipt of copy of this order.

4.With the above directions, this Criminal Original Petition is disposed of. No costs.

Index : Yes/No

13.03.2024

Internet : Yes/No
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To
1. The State of Tamil Nadu,

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Thiruvallur,
Thiruvallur District

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2. The Deputy Superintendent of Police,
Thiruthani
Thiruvallur District.
3. The Inspector of Police,
R.K.Pet Police Station,
Thiruvallur District.
4. The Revenue Divisional Officer
R.K.Pet,
Thiruvallur District.
5. The Tahsildar,
R.K.Pet,
Thiruvallur District.
6. The Public Prosecutor
High Court, Madras

N.ANAND VENKATESH, J.



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