



Writ Petition No.36170 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.36170 of 2023

V.Devaraj
S/o.Velayutham

... Petitioner

Vs.

- 1.The District Collector,
Perambalur,
Perambalur District.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Perambalur District.
- 3.The Superintendent of Police,
Perambalur District,
Perambalur.
- 4.The Inspector of Police,
Perambalur Police Station,
Perambalur District.
- 5.Chellammal
W/o.Palaniyandi



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6.Thasarathan
S/o.Palaniyandi

7.A.Thanga
W/o.Arunachalam

8.A.Thangaraj
S/o.Arunachalam

9.Thilagavathi
W/o.Rajeshwaran

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus, directing the respondents 3 and 4 to give police protection to the petitioner, his family and his property comprising in Old Survey No.267/20, New Survey No.382/20 measuring 0.5 cents situated at Kalarampatti Village, Perambalur District, based on the petitioner's complaints dated 17.11.2023 and 29.11.2023.

For Petitioner : Mr.S.Satheeshkumar

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1 to R4]

ORDER

This Writ Petition has been filed seeking for a direction to the respondents 3 and 4 to give police protection to the petitioner, his family and his property comprising in Old Survey No.267/20, New Survey No.382/20



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measuring 0.5 cents situated at Kalarampatti Village, Perambalur District, based on the petitioner's complaints dated 17.11.2023 and 29.11.2023.

2. Heard Mr.S.Satheeshkumar, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing on behalf of respondents 1 to 4.

3. Learned Additional Public Prosecutor appearing for respondents 1 to 4 submitted that on the complaints given by the petitioner, a petition enquiry is pending in CSR No.1292 of 2023 on the file of the fourth respondent police and a final decision will be taken on the complaints given by the petitioner.

4. It is seen from records that already civil proceedings that were initiated by the private respondents against the petitioner and another was dismissed in O.S.No.841 of 1994 by judgment and decree dated 21.10.2019 and the same was also confirmed in appeal by the Sub-Court, Perambalur, in



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A.S.No.10 of 2019 by judgment and decree dated 31.10.2023. This shall be kept in mind by the fourth respondent while dealing with the complaints at the time of enquiry.

5. The fourth respondent is directed to conduct enquiry in keeping with the judgment of the Supreme Court of India in ***Lalitha Kumari Vs. Government of Uttar Pradesh*** reported in **2013 (6) CTC 353**, wherein the Supreme Court has enumerated the nature of cases where preliminary enquiry can be conducted and has also restricted the period, for which preliminary enquiry can be conducted. The fourth respondent is also directed to complete the enquiry in the case and take a decision within a period of two (2) weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. No costs.

03.01.2024

Index : Yes/No
Speaking Order/Non-speaking Order
Neutral Citation : Yes/No
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Perambalur.
- 4.The Inspector of Police,
Perambalur Police Station,
Perambalur District.
- 5.The Public Prosecutor,
High Court of Madras.



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N.ANAND VENKATESH, J

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