



WP No.1149 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATE : 23.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WP No.1149 of 2024

A.G.Narasimhan,
S/o.Gangadharan

... Petitioner

Vs.

1.The Commissioner,
Salem Corporation,
Salem – 636 001

2.The Commissioner of Police,
Salem City,
Salem

3.The Inspector of Police,
Hasthampatty Police Station,
Salem City

4.Mohan

... Respondents

Prayer: This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus to direct the 2nd and 3rd respondents to provide necessary police protection to remove the encroachment made by the 4th respondent in pursuance of communication sent by the 1st respondent



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vide his proceedings in Na.Ka.No.E/10/2072/2022 dated 17.11.2023.

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For Petitioner : Mr.M.Subash

For Respondents : M/s.N.Devi for R1
Standing Counsel

: Mr.A.Damodaran for R2 and R3
Additional Public Prosecutor

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents 2 and 3 to provide police protection in order to remove the encroachment made by the 4th respondent by considering the request made by the 1st respondent through email dated 17.11.2023.

2. Heard Mr.M.Subash, learned counsel for the petitioner and M/s.N.Devi, learned Standing counsel for 1st respondent and Mr.A.Damodaran, learned Additional Public Prosecutor for Respondents 2 and 3.

3. It is seen from records that already an order has been passed by



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the Division Bench of this Court in WP No.15251 of 2017 dated 12.10.2023 wherein the 1st respondent corporation took a stand that they are in the process of removal of encroachment that was made in the park. Recording the same, the Division Bench had disposed of the writ petition. In order to undertake this process, the 1st respondent require police protection. Hence, the 1st respondent through communication dated 17.11.2023 made to the 2nd respondent sought for police protection. Since the same was not acted upon, the present writ petition has been filed before this Court.

4. The learned Additional Public Prosecutor on instructions submitted that the representation made by the 1st respondent to the 2nd respondent will be acted upon.

5. Considering the facts and circumstances of the case and the submissions made by the learned Additional Public Prosecutor, there shall be a direction to the respondents 2 and 3 to act upon the letter dated 17.11.2023. If the encroachments can be removed only with police protection, the same shall be provided by the respondents 2 and 3.



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6. This writ petition is disposed of with the above directions. No costs.

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rka

Index :Yes/No

Internet:Yes

Speaking Order/Non-speaking Order

To

- 1.The Commissioner,
Salem Corporation,
Salem – 636 001
- 2.The Commissioner of Police,
Salem City, Salem
- 3.The Inspector of Police,
Hasthampatty Police Station,
Salem City
- 4.The Public Prosecutor,
Madras High Court,
Chennai.



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