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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.12.2024

CORAM

THE HONOURABLE **MRS JUSTICE L.VICTORIA GOWRI**

W.P. No.39719 of 2024
in WMP. No.43013 of 2024

Kumaresan

..Petitioner

Vs.

1. The Superintendent of Police,
Tiruppur District.

2. The Deputy Superintendent of Police,
Tiruppur District.

3. The Inspector of Police,
Avinashi Police Station,
Tiruppur District.

4. Sumathy

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 14.11.2024 and 18.12.2024 to give police protection to the petitioner to fence his land comprised in Survey no.140/8 measuring an extent of 1 acre at Kupbandampalayam Village, Avinashi Taluk, Tiruppur District on the basis of the complaint dated 10.11.2024 given by the petitioner vide CSR. No.521/2024 on the file of the third respondent.



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For Petitioner : Mr.M.Elumalai

For Respondents : Mr. *K.M.D.Muhilan*,
Government Advocate (Crl. Side)
RR1 to 3

ORDER

This writ petition has been filed seeking a direction to the respondents 1 to 3 to consider the petitioner's representations dated 14.11.2024 and 18.12.2024 to give police protection to the petitioner to fence his land comprised in Survey No.140/8 measuring an extent of 1 acre situated at Kupbandampalayam Village, Avinashi Taluk, Tiruppur District on the basis of the complaint dated 10.11.2024 lodged by the petitioner vide CSR. No.521/2024 on the file of the third respondent.

2. The learned counsel for the petitioner submitted that he has lodged a complaint against the 4th respondent on 10.11.2024 before third respondent for which, CSR. No.521/2024 was issued by them. Since the third respondent police did not turn up to give police protection to fence his land comprised in Survey No.140/8 measuring an extent of 1 acre situated at Kupbandampalayam Village, Avinashi Taluk, Tiruppur District, the petitioner further made a representation on 14.11.2024 and 18.11.2024 in



this regard. However, the same is not considered so far.

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3. It is needless to state that whenever a representation is made, it is a duty cast on the authorities to act upon the same and pass appropriate orders within the stipulated period of time. Since the petitioner's representation has not been considered by the respondent police, this writ petition has been filed.

4. The learned Government Advocate (Crl. Side) appearing for the respondents submitted that unless and until survey of the said land is completed by the Revenue authorities, the question of fencing the land will not arise.

5. Considering the limited scope of the relief sought for, notice to the 4th respondent is dispensed with.

6. The petitioner is directed to make a fresh application to the Revenue authorities to conduct a survey of the land in Survey No.140/8



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measuring an extent of 1 acre situated at Kupbandampalayam Village, Avinashi Taluk, Tiruppur District and after putting the 4th respondent on notice, survey may be completed. On completion of the same, the petitioner may make an application afresh to the Thasildar concerned to direct the third respondent to provide police protection for putting up a fence. The third respondent, on receipt of the requisition from the Tahsildar concerned, will provide appropriate protection for fencing the petitioner's land in Survey No.140/8 earmarked by revenue authorities situated at Kupbandampalayam Village, Avinashi Taluk, Tiruppur District.

7. With the above directions, the writ petition stands disposed of .

No costs. Consequently, connected miscellaneous petition is closed.

27.12.2024

rli/ssb

Index : Yes/No
Internet : Yes/No



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- To
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Tiruppur District.
 2. The Deputy Superintendent of Police,
Tiruppur District.
 3. The Inspector of Police,
Avinashi Police Station,
Tiruppur District.



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L.VICTORIA GOWRI, J.

rli

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