



W.P.(MD)No.16473 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED:08.11.2024

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.16473 of 2023

M/s.Sri Venkatramanaswamy Blue Metals
Rep. by its Partner, K.Palanisamy

... Petitioner

Vs.

1. The Superintendent of Police,
Karur District, Karur.
2. The Inspector of Police,
Thennilai Police Station, Karur District.
3. T.Prabakaran
4. Kavinkumar

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 and 2 to provide adequate protection to carry out quarrying operations in the lease hold quarry situated at Survey no. 195/1 P and Survey no. 198/1 P measuring to an extent of 4.90.0 Hectare, Thennilai East Village, Pugalur Taluk, Karur District functioning in the name and style of M/s.Sri Venkatramana Swamy Blue Metals, and also forbearing the said 3rd and 4th respondents and their henchman, agents from any manner interfering with the above said quarrying activities by considering the petitioner



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representation dated 20.06.2023.

For Petitioner : Mr.V.Sukumar

For Respondents : Mr.S.Ravi
Government Advocate (Crl. Side)
for R1 and R2

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondents police to provide police protection in order to enable the petitioner to carryout the quarrying operation in the subject property.

2.The status report has been filed by the second respondent.

The relevant portions are extracted hereunder:-

“3. I humbly submit that the case of the petitioner is that he is undergoing quarry operation at Survey No. 195/1P and Survey No. 198/1P measuring to an extent of 4.90.0 Hectare, Thennilal East Village, Pugalur Taluk, Karur District by obtaining proper license and necessary permission from the concerned Departments. The respondent no. 3 & 4 have frequently interfering in the quarry operation and causing hindrance to the petitioner for which two C.S.R. No. 137 of 2022 and 142 of 2022

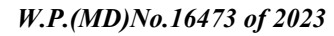


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was registered by the 2nd respondent on 09.12.2022 and 18.12.2022 respectively. Consequently on 05.06.2023 a case in Thennilai P.S. Crime No. 87 of 2023 U/s. 294(b), 447, 506(i) of IPC and Sec.. 3 of TNPPDL Act came to be registered against the respondent no. 3 & 4. Thereafter the petitioner has submitted his representation on 09.05.2023 and 20.06.2023 for taking necessary action against the respondent no. 3 & 4, despite his representation no action was taken against the respondent no. 3 & 4 and hence this Writ petition was filed.

4. I humbly submit that we are Law Enforcing Agency we have acted in accordance with law and after the receipt of the complaint from the petitioner earlier two C.S.R. No. 137 of 2022 and 142 of 2022 was registered by the 2nd respondent on 09.12.2022 and 18.12.2022 respectively. Recently upon the complaint lodged by the petitioner a case in Thennilai P.S. Crime No. 87 of 2023 U/s. 294(b), 447, 506(1) of IPC and Sec.3 of TNPPDL Act came to be registered against the respondent no.3 & 4 on 05.06.2023.”

3.The learned counsel for the petitioner submitted that in spite of the FIR registered by the second respondent, the third and fourth



4. In the considered view of this Court, action has been taken against third and fourth respondents by registering FIR against them. If they continue to interfere with the quarrying operations, they have to be taken into custody and produced before the Court in the next session. If they have obtained bail, the respondent police should seek cancellation of bail on the ground that they continue to involve in the same offence. In any case, the second respondents has to ensure adequate security protection is given to the petitioner for running the quarrying operation in line with the license that has been given to the respondents by the competent authority.

5.This writ petition is disposed of with the above directions.

08.11.2024

NCC	:	Yes / No
Index	:	Yes / No
Internet	:	Yes / No
PKN		



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1. The Superintendent of Police,
Karur District, Karur.
2. The Inspector of Police,
Thennilai Police Station, Karur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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N.ANAND VENKATESH,J.

PKN

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