



W.P.(MD)No.20131 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.20131 of 2024

L.Russel Raj

...Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2.The Deputy Superintendent of Police,
Colachel-629251,
Kanyakumari District.

3.The Inspector of Police,
Pudukadai Police Station,
Pudukadai-629171,
Kanyakumari District.

4.The Panchayat President,
Vilaththurai Village Panchayat,
Vilvancode Taluk,
Kanyakumari District.

5.Y.Nesian

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the



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respondents 1 to 3 to give adequate police protection to the petitioner to continue the construction work in S.No.480/4A1B2, Vilathurai Village, Vilavancode Taluk, Kanyakumari District by considering the petitioner's representation dated 24.03.2023.

For Petitioner : Mr.M.Saravanakumar

For R1 to R3 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

For R4 : Mr.M.Muthumanikkam
Government Advocate

ORDER

The Writ Petition has been filed, invoking Article 226 of the Constitution of India, seeking orders to direct the respondents 1 to 3 to give adequate police protection to the writ petitioner to continue the construction work in S.No.480/4A1B2, Vilathurai Village, Vilavancode Taluk, Kanyakumari District by considering his representation dated 24.03.2023.

2. Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor takes notice for the respondents 1 to 3 and Mr.M.Muthumanikkam, learned Government Advocate takes notice for



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the fourth respondent. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The learned counsel appearing for the writ petitioner would submit that the writ petitioner was impleaded as second plaintiff in O.S.No.332 of 1983 which was originally filed by his vendor and obtained judgment and decree on 29.06.1994 permitting the plaintiffs to raise a wall with the help of Commissioner to be appointed and for permanent injunction and that the appeal filed by Nesamany in A.S.No. 81 of 1995 came to be dismissed. He would further submit that the fifth respondent and others have filed a suit in O.S.No.209 of 2003 and the same went upto the High Court in second appeal and the same came to be dismissed.

4. The learned Additional Public Prosecutor appearing for the respondents 1 to 3 would submit that the representation given by the writ petitioner for police protection is pending before the third respondent.

5. Considering the above, the third respondent is directed to



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consider the writ petitioner's representation dated 24.03.2023 by taking note of the judgment and decree passed by the competent civil Court and pass orders within a period of two weeks from the date of receipt of a copy of this order

6. With the above direction, the Writ Petition stands disposed of.

No costs.

23.08.2024

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

csm

To

1.The Superintendent of Police,
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3.The Inspector of Police,
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5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

csm

Order made in
W.P.(MD)No.20131 of 2024

Dated : 23.08.2024