



W.P.(MD)No.22501 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.22501 of 2024

A.Muthaiah

...Petitioner

Vs.

1.The Deputy Superintendent of Police,
Usilampatti Division,
Madurai District.

2.The Inspector of Police,
Elumalai Police Station,
Madurai District.

3.Murugan
President,
Athankaraipatty Panchayat,
Peraiyur Taluk,
Madurai District.

4.Periyasamy

5.Sundaram

6.Rajeswari

7.Seenivasan

8.Mangayarthilakam

... Respondents



W.P(MD)No.22501 of 2024

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a a Writ of Mandamus, directing the respondents 1 and 2 to conduct an enquiry and to take action against the respondents 3 to 8, based on the petitioner's representation dated 09.09.2024.

For Petitioner : Mr.B.Prasanna Vinoth

For R1 & R2 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

The Writ Petition has been filed seeking orders to direct the respondents 1 and 2 to conduct an enquiry and to take action against the respondents 3 to 8, based on the writ petitioner's representation dated 09.09.2024.

2. Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor takes notice for the respondents 1 and 2. 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 has already filed a writ petition in W.P.



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(MD)No.14845 of 2024 and the Hon'ble Division Bench of this Court has granted interim injunction restraining the officials and the President of Athankaraipatty Panchayat from evicting the writ petitioner in S.Nos. 282/1 and 280/37 at Athankaraipatty Panchayat, Melathirumanickam Village, Elumalai Firka, Peraiyur Taluk, Madurai District and despite the interim injunction, the fourth respondent has set up hooligans and they have demolished the shed available in the property in dispute and taken away some vessels in the property, that the writ petitioner has moved a contempt and the same is pending and that though the writ petitioner has given a representation before the respondent police on 09.09.2024, there was no action.

4. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that the concerned Tahsildar has sent a letter to the respondents 1 and 2 directing them to take action if the writ petitioner and the other respondents or any other party entered into the disputed land. He would further submit that the respondents 1 and 2 have not taken any action on the writ petitioner's representation in pursuance of



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the order of the Tahsildar.

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5. This Court is at loss to understand when the Hon'ble Division Bench has granted interim injunction, as to how the police officials relying on the letter of the Tahsildar, have failed to consider the writ petitioner's representation.

6. Considering the above, the respondents 1 and 2 are directed to consider the writ petitioner's representation dated 09.09.2024 and take a decision within a period of three days from the date of receipt of a copy of this order.

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

23.09.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
csm



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- To
- 1.The Deputy Superintendent of Police,
Usilampatti Division,
Madurai District.
 - 2.The Inspector of Police,
Elumalai Police Station,
Madurai District.
 - 3.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.22501 of 2024

Dated : 23.09.2024