



W.P.(MD)No.24425 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.02.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.24425 of 2022

M.R.Rajagopal

... Petitioner

Vs

1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2.The Inspector of Police,
Pettai Police Station,
Tirunelveli City.

3.Syed Rashul

4.M.Paruthujamaan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first and second respondents to provide police protection to the petitioner for the ongoing construction of the Marriage Hall constructed by the petitioner in T.S.No. 2642/1 and T.S.No.2638/2, situated at T.S.Ward 6 AG Block No.22, Tirunelveli Town by considering the petitioner's representation dated 19.10.2022.



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For Petitioner : Mr.K.Muthuvai Ilayaraja
For R-1 & R-2 : Mr.B.Nambiselvan,
Additional Public Prosecutor
For R-3 & R-4 : Mr.M.S.Mohamed Mustafa

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus directing the first and second respondents to provide adequate Police protection to the petitioner for the ongoing construction of the Marriage Hall constructed by the petitioner in T.S.No.2642/1 and T.S.No. 2638/2, situated at T.S.Ward 6 AG Block No.22, Tirunelveli Town by considering the petitioner's representation dated 19.10.2022.

2. The learned counsel appearing for the petitioner would submit that the petitioner is the owner of the property and he purchased the property from one Saraswathi situated at T.S.Ward 6 AG Block No.22, Tirunelveli, comprised in T.S.No.2642/1 to an extent of 29 cents and T.S.No.2638/2 to an extent of 45 cents on 30.12.2020 vide registered sale deed in Doc.No.4701 of 2020 and thereafter, he decided to construct a marriage hall. Accordingly, the petitioner got permission from the first



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respondent Municipality. However, the third and fourth respondents with the help of the second respondent interfered with the petitioner's construction activities. Therefore, the petitioner submitted a representation to the second respondent on 19.10.2022 and the same was not considered till date. Hence, the present petition has been filed.

3. The learned Additional Public Prosecutor appearing for the respondent Nos.1 and 2 would submit that this Court may issue a direction to the second respondent not to interfere with the construction activities without due process of law.

4. Since it is purely a civil dispute between the petitioner and the private respondents, this Court directs the second respondent not to interfere with the above said dispute between both the parties.

5. In view of the above, the Writ Petition stands disposed of.

No costs.

14.02.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
TSG



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To

- 1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.
- 2.The Inspector of Police,
Pettai Police Station,
Tirunelveli City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

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