



W.P.(MD)No.26628 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.(MD)No.26628 of 2024

1. Marimuthu Pandian
2. A.Senthurpandi

.. Petitioners

Vs

1. The Superintendent of Police
Ramanthapuram District
Ramanathapuram
2. The Inspector of Police
Perunazhi Police Station
Perunazhi, Kamudhi Taluk
Ramanthapuram District

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to give adequate police protection for the life and limb of the petitioners and their family based on the complaint of the first petitioner dated 10.10.2024 received by the second respondent in CSR Receipt No. 171 of 2024 and consequent representation of the first petitioner dated 11.10.2024 made to the respondents beside directing them to take appropriate action in the



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registration of the case against the accused persons within a time frame as fixed by this Court.

For Petitioners : Mr.B. Prahalad Ravi
For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

This Writ Petition has been filed to direct the respondents to give adequate police protection for the life and limb of the petitioners and their family based on the complaint of the first petitioner dated 10.10.2024 received by the second respondent in CSR Receipt No. 171 of 2024 and consequent representation of the first petitioner dated 11.10.2024 made to the respondents beside directing them to take appropriate action in the registration of the case against the accused persons within a time frame as fixed by this Court.

2. The petitioner gave a complaint to the respondent seeking police protection for his life and limb for which CSR No. 171 of 2024 was assigned. But no action has been taken, hence the present petition has been filed.



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3. The contention of the petitioner is that he was employed as a BDO in Panchayat Union Officer at Narikudi and his brother was a District Registrar of Registration Department. They have some property in their village which has to be surveyed and boundaries to be marked. Initially there was some resistance from the rival parties hence the first petitioner filed writ petition before this Court in WP(MD) No.7417 of 2024 and this Court by order dated 25.03.2024, directed the Tahsildhar, Kamuthi to survey the land. Based on which the Tahsildhar, Kamuthi in his letter No. 1/5992/2024 dated 27.08.2024 fixed the date of survey on 09.10.2024. The Inspector of Police informed that on 09.10.2024 due to Immanuvel Sekaranar function there is no adequate police strength to provide security to the Tahildhar, hence it was not possible. Thereafter the next date for survey was fixed to 14.10.2024 but the intimation was received by the respondent police only on 13.10.2024 within the such short period the respondent police unable to arrange police strength, hence survey could not be conducted. In the meanwhile the rival parties who belong to Perunazhi village namely Jothi her sons namely Sundarapandi, Senthil Eswaran, her daughters Nandhini, Munipriya, Munilakshmi and her father Murugan and the husband of Nandhini and



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grandson of Angugundu Bose are threatening the petitioner's father-in-law and brother and further filing false cases against them. Hence sought for police protection for life and limb.

4. The learned Additional Public Prosecutor would submit that the respondent police is bound to give protection as per the direction of this Court in W.P(MD) No.7417 of 2024, wherein the Tahsildhar, Kamuthi ordered to survey the land, earlier communication on 27.08.2024 to survey the land on 09.10.2024 could not be done due to Immanuvel Sekaranar function, lack of adequate police strength. Hence the date fixed to 14.10.2024 but the respondent police received the intimation only on 13.10.2024 hence the respondent police not in a position to depute force on that date. He would further submit that if sufficient time is given the police force would be made available and the land can be surveyed.

5. At this juncture the learned counsel appearing for the petitioner would submit that the petitioner and his brother will be available in person on 19.11.2024.



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6. In view of the same the respondent police to give police protection to the revenue officials to survey the land and to the petitioner and his family members during the survey of the land on 19.11.2024 or any other date fixed for the purpose of surveying the land

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

No costs.

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Index: Yes/No

Internet : Yes/No

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To

1. The Superintendent of Police
Ramanthapuram District
Ramanathapuram
2. The Inspector of Police
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Perunazhi, Kamudhi Taluk
Ramanthapuram District
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.



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M.NIRMAL KUMAR, J.

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