



WMP(MD). No.23491 OF 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Special Original Jurisdiction)

Tuesday, the Nineteenth day of November Two Thousand and Twenty Four

PRESENT

The HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

WMP(MD). No.23491 OF 2024

in

W.P.(MD) NO. 26628 OF 2024

Jothi,
W/o. Late Muniyasami,
Door No.5/106,
Perunali Village,
Kamuthi Taluk
Ramanathapuram District.

... Petitioner/3rd party

Vs

1.A.Marimuthu Pandian,
S/o.Ayiramuthevar,
No. 5/17-17A
Pasumpon Nagar,
Palayampatti,
Aruppukkottai Taluk,
Virudhunagar District

2.A.Senthurpandian,
S/o.Ayiramuthevar,
North Street,Perunazhi Village,
Kamudhi Taluk,
Ramanathapuram District.

..Respondents/1 & 2 Petitioners



WMP(MD). No.23491 OF 2024

3.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram

4.The Inspector of Police,
Perunazhi Police Station,
Perunazhi, Kamudhi Taluk,
Ramanathapuram District

... Respondent/1&2 Respondents

Prayer :-

To Grant leave to file the present Writ Miscellaneous Petition in WP (MD) No.26628 of 2024 to recall the order passed in WP (MD) No.26628 of 2024 dated 08.11.2024.

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

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

ORDER:-

This Writ Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Thiru. Mr.S Poornachandran, Advocate for the Petitioner and of Thiru.Mr. B. Prahalad Ravi, Advocate for the Respondents 1 and 2 and Mr.A.Thiruvadi Kumar, Additional Public Prosecutor for Respondents 3 and 4, this



WMP(MD). No.23491 OF 2024

Court made the following order:

WEB COPY

“The petitioner herein seeks leave to get impleaded in W.P(MD).No.26628 of 2024 and to recall the order passed by this Court on 08.11.2024 in W.P(MD). No.26628 of 2024.

2. The contention of the petitioner is that the above writ petition has been filed by the petitioners seeking direction to the police for providing protection of life and limb of them and their family members and also, to provide protection while the property, namely, 'Punja land' comprised in S.No.28/3C measuring about 0.45.46 hectares i.e., 1 acre 12 ¼ cents bearing Patta No.8198 situated at Perunazhi Village, Kamudhi Taluk, Ramanathapuram District and to demarcate the four boundaries by fixing the boundary stones based on the petitioners' online application dated 06.02.2024. It is stated that the order dated 08.11.2024 has been obtained by suppressing the materials facts that the civil suit is pending in O.S.No.17 of 2019 before the Subordinate Court, Muthukulathur. Further, there is a rival claim and contention over the property. According to the petitioner, a wrong entry in UDR is being misinterpreted. Earlier, the writ petitioners in W.P(MD).No.26628 of 2024 were at loggerhead and they were having lot of cases between them. Now, they joined together and taking advantage of their position that one of them is Block Development Officer and another one is the District Registrar in Registration

<https://www.mhc.tn.gov.in/judis>



WMP(MD). No.23491 OF 2024

Department are obtaining orders on suppression without proper notice to the petitioner herein. Hence, he filed the present petition.

3. On perusal of the order passed dated 08.11.2024 in W.P(MD).No.26628 of 2024, it is seen that the writ petitioners had arrayed only the Superintendent of Police and the Inspector of Police as respondents, further their limited prayer is that CSR.No.171 of 2024, dated 11.10.2024, to be enquired and appropriate action to be taken. Further, in the affidavit, it was found that there was an order passed by this Court in W.P(MD).No.7417 of 2024, dated 25.03.2024, directing the Tahsildar, Kamuthi, to survey the land, based on which, the Tahsildar, Kamuthi, had fixed the survey on 09.10.2024 and due to Immanuvel Sekaranar function during the month of September and October, the police have been over working and other duties and hence, appropriate protection could not be given. Thereafter, finding that on 19.11.2024, appropriate police protection can be provided to the revenue officials to survey the land, this Court had ordered accordingly. This would not amount to any suppression of fact.

4. The petitioner's contention in this petition is that the petitioners in W.P (MD).No.26628 of 2024 had not disclosed about the pendency of O.S.No.17 of 2019 and the revenue application filed in W.P(MD).No.7417 of 2024, in which, the writ petitioners are parties and they are aware about the same. It is for the petitioner to



WMP(MD). No.23491 OF 2024

take it before the appropriate Court to agitate the same. This writ petition was limited to providing of police protection to the Governments/revenue officials to carry-out the duty.

5. With the above observation, this Writ Miscellaneous Petition is dismissed.”

Sd/-

Assistant Registrar(C.S-I)

// True Copy //

/01/2025

Sub Assistant Registrar
(CS- I/ II / III / IV)

TO

1. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram
 2. The Inspector of Police,
Perunazhi Police Station,
Perunazhi,
Kamudhi Taluk,
Ramanathapuram District.
 3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai
- + 1 cc Mr. B.Prahalad Ravi Advocate (SR No. 66935)



WMP(MD). No.23491 OF 2024

Copy to:

The Section Officer,
Writ Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 19/11/2024

=====
ORDER
=====

WMP(MD). No.23491 of 2024
IN
W.P.(MD)No.26628 of 2024

KVL(08/01/2025) 6P 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023