



W.P.(MD)No.30711 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.(MD)No.30711 of 2024

N.Marivel

... Petitioner

Vs

1. The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.

2. The Sub Inspector of Police,
Reddiyarchatram Police Station,
Dindigul District.

3. D.Nagarajan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent Nos.1 and 2 herein to provide adequate police protection to the petitioner to fence the petitioner's property at New Survey Nos.760/1, 760/3, 760/6, 761/1 and 761/2 Kuttathupatti Village Dindigul West Taluk and District within the time frame fixed by this Court.

For Petitioner : Mr.Arjun Varman

For Respondents : Mr.A.Thiruvadikumar (R1,R2)

Additional Public Prosecutor



WEB COPY



W.P.(MD)No.30711 of 2024

ORDER

This writ petition has been filed seeking a mandamus to direct the respondent Nos.1 and 2 to provide adequate police protection to the petitioner to fence the petitioner's property at New Survey Nos. 760/1, 760/3, 760/6, 761/1 and 761/2 Kuttathupatti Village, Dindigul District.

2.It is the case of the petitioner is that on 26.06.2024 the Senior Bailiff has entrusted the possession of properties in Survey Nos. 760/1, 760/3, 760/6, 761/1 and 761/2 Kuttathupatti Village, Dindigul District to an extent of 3 acre 42 cents, pursuant to the order passed in EP No. 17 of 2024 in OS No. 119 of 2020, on the file of Additional District Court, Dindigul, to the petitioner in the presence of Village Administrative Officer, Village Assistant. Thereafter, the petitioner has been in possession of the said properties by way of cultivating cotton crop. That being so, he further submitted that one Nagarajan/R3, claiming right over the property and causing obstruction to the peaceful enjoyment and possession of the petitioner. Suppressing the said fact, Nagarajan's mother had filed a suit in OS No. 2372 of 1990 and the same



W.P.(MD)No.30711 of 2024

was dismissed. Based on the orders passed by the competent civil Court, the petitioner was entrusted with the possession of properties by the Senior Bailiff of the Court, which was being suppressed by the said Nagarajan and created interference in the property. Again, the said Nagarajan also filed a petition in EA 2 of 2024 in O.S.No.119 of 2014, which is pending.

3.Now, it is the main claim of the petitioner is that the respondent police by referring the pendency of EA No.2 of 2024, refused to provide police protection to the petitioner, which is not proper. Hence, he made a representation to the respondent and the same is not acted upon, resulting which, the present petition has been filed.

4.The learned Additional Public Prosecutor, on instructions, submitted that the petitioner had sent a representation on 23.11.2024 through post without any supporting documents. If the petitioner appear before the respondent along with all the supporting documents, then the claim of the petitioner can be considered by the respondent in accordance with law.



W.P.(MD)No.30711 of 2024

WEB COPY

5.In response, the learned counsel for the petitioner submitted that he will ready to appear before the respondent police on the date fixed by this Court.

6.In view of the same, the petitioner is directed to appear before the respondent police on **27.12.2024** along with necessary documents pertaining to his complaint. The second respondent is directed to ensure the presence of third respondent on that date and conduct an enquiry and dispose of the petitioner's complaint as expeditiously as possible, in accordance with law.

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

12.12.2024

Index: Yes/No
Internet : Yes/No
PNM



W.P.(MD)No.30711 of 2024

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.

2. The Sub Inspector of Police,
Reddiyarchatram Police Station,
Dindigul District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



W.P.(MD)No.30711 of 2024

M.NIRMAL KUMAR, J.

PNM

ORDER IN
W.P.(MD)No.30711 of 2024

12.12.2024