



W.P.(MD)No28626 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2025

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THE HON'BLE MR.JUSTICE P.DHANABAL

W.P.(MD)No28626 of 2024

V.Vasukinathan

... Petitioner

Vs.

1. The Superintendent of Police
Collectorate Building
Ramanathapuram
Ramanathapuram District
2. The Tahsildhar
Taluk Office
Ramanathapuram- 623 501
3. The Commissioner
Municipality Office
Ramanathapuram – 623 501
4. The Inspector of Police
Bazar Police Station
Ramanathapuram- 623 501
5. G.Ganesha Pandiyan
- 6.M.Mallika

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, seeking a Writ of Mandamus directing the respondents No. 1 and 4



W.P.(MD)No28626 of 2024

WEB COPY

herein to give police protection for the petitioner to relay underground drainage pipeline in common pathway in Town Survey Numbers 61, 62/1 and 63 in Ward C, Block 13, Ramanathapuram Town, Ramanathapuram Taluk, Ramanathapuram District as per the unregistered partition document dated 20.10.1965 of the petitioners paternal grand father late Muthukamatchi Servai by considering the petitioner's representation dated 29.08.2024

For Petitioner	: Mr.P.Bhaskar
For Respondents No.1 and 4	: Mr.M.Sakthi Kumar Government Advocate(Crl.Side)
No.3	Mr.K.Saravanan, Standing Counsel
No.2	Mr. M.Senthil Ayyanar Government Advocate
No.5 and 6	: Mr.R.Raja

ORDER

This Writ Petition has been filed to direct the respondents No. 1 and 4 herein to give police protection to the petitioner to relay underground drainage pipeline in common pathway in Town Survey Numbers 61, 62/1 and 63 in Ward C, Block 13, Ramanathapuram Town, Ramanathapuram Taluk, Ramanathapuram District by considering the petitioner's representation dated 29.08.2024.



W.P.(MD)No28626 of 2024

WEB COPY

2. The learned counsel appearing for the petitioner would submit that the petitioner is the owner of the property in S.No.62/1 and there is a common pathway situated in S.No.61, 62/1 and 63. The petitioner went to lay pipeline in the said common path way but the private respondents are causing disturbance while laying pipeline. Therefore he sent a complaint dated 29.08.2024 to the fourth respondent but the same has not been considered, hence the present petition has been filed.

3. The learned Government Advocate(Crl.Side) appearing for the respondents 1 and 4 would submit that the petitioner want to lay pipe line in the common pathway thereby the private respondents are objecting. However the representation of petitioner is under consideration and they will complete the enquiry of the petitioner as early as possible.

4.Mr.K.Saravanan, learned counsel takes notice on behalf of the third respondent and submitted that the disputed land not belongs to Government and there is a dispute between the parties and therefore the third respondent has no role in this issue.



W.P.(MD)No28626 of 2024

WEB COPY

5. The learned counsel appearing for the respondents 5 and 6 would submit that property is a common path way and there is a dispute pending between the parties in respect of land and already civil suit is pending in O.S.No.66 of 2013 before the Principal Sub Court, Ramanathapuram and A.S.No.2 of 2024 is also pending. Since there is a dispute pending between the parties police protection cannot be granted for the disputed property, hence the petition is liable to be dismissed.

6. Heard both sides and perused the materials available on record.

7. The prayer sought for in the petition is to consider the representation dated 29.08.2024 for police protection and hence this Court without going into rights of the parties inclined to pass orders. Since the representation of the petitioner is pending before the fourth respondent, this Court directs the fourth respondent to dispose the representation of the petitioner within a period of 15 days from the date of this order.



W.P.(MD)No28626 of 2024

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

WEB COPY

No costs.

06.03.2025

NCC : Yes / No

Index : Yes / No

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Bazar Police Station
Ramanathapuram- 623 501
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P.(MD)No28626 of 2024

P.DHANABAL, J.

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W.P.(MD)No28626 of 2024

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