



W.P.(MD)No.31167 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.(MD)No.31167 of 2024

VR.Meiyappan

: Petitioner

Vs.

1.The Superintendent of Police,
Devakottai.

2.The Deputy Superintendent of Police,
Devakottai Taluk,
Sivagangai District.

3.The Inspector of Police,
Aaravayal Police Station,
Devakottai Taluk,
Sivagangai District.

4.Murugan

5.Manivel

6.Prasanth

7.Eswaran

8.Sundaram

9.Prabhu

: Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents 1 to 3 herein to take necessary action upon his representation dated 30.10.2024 which is still pending before the respondents police, within time limit that may be fixed by this Court.



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For Petitioner : Mr.P.Venkatesan
For R1 to R3 : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

The petitioner had taken pro bona work in Shanmuganthapuram Village against the powerful group of persons, who attempted to convert the water-body for their own uses claiming it to be a playground, by filing a petition in W.P(MD).No.20481 of 2024 and W.M.P(MD).No.1736 of 2024 and this Court had admitted the writ petition and finding *prima facie* case in favour of the petitioner, had granted stay of further converting the water-body for other purpose. Aggrieved against the same, the Panachyat President and her husband, namely, Rangaiya had abetted one Murugesan, Manivel, Prasanth, Eswaran, Sundaram and Prabhu, had often caused disturbance to the petitioner and his family members by sitting on the pathway having liquor using abusive words and also calling them by caste name that the petitioner belongs to marginalized community and they are also questioning the petitioner's act of filing the writ petition. This threat and abuse has been continuing. On 29.10.2024 when the petitioner and his wife were proceeding to the house, at that time, the named persons and



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others had used abusive words and attempted to attack them. The petitioner and his wife called emergency police 100, who had informed that since Gurupooja is forthcoming, no police available and everybody has gone to Panthopasthu, which further emboldened the aggressors, who had pulled down the petitioner's son, who was proceeding to school in School bus stating that the person belonging to such community cannot raise voice against majority and the petitioner's son was not permitted to use the school bus. In this regard, the petitioner had given representation to the respondent police, but so far no action has been taken. Hence, the present petition.

2. The learned Additional Public Prosecutor, who takes notice on behalf of the respondents police, on instructions, would submit that complaint of the petitioner had been received and CSR.No.387 of 2024 has been assigned on 04.12.2024. Since the issue was between two groups, the matter has been forwarded to the Revenue Divisional Officer on 18.12.2024 and thereafter, CSR.No.387 of 2024 has been closed. He fairly submitted that since the matter was referred to the Revenue Divisional Officer, CSR No.387 of 2024 was closed and no enquiry has been conducted.



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3. In view of the above, this Court finds that closure of CSR.No. 387 of 2024 is not proper. The petitioner to appear before the Deputy Superintendent of Police, Devakottai Taluk, on 28.01.2025 along with copy of the complaint. Thereafter, the Deputy Superintendent of Police, to enquire into the petitioner's complaint and representation dated 13.10.2024, call the aggressors for enquiry, in any event, to conclude the enquiry within a period of two months thereafter, and ensure that the petitioner lives peacefully with confidence of safety to his life and limb and property and also ensure that the petitioner's son school going is not interrupted in any manner. The petitioner should not face threats, intimidation, or harm for pursuing a public interest matter. As regards the limit of the petitioner's contention with regard to conversion of water-body, it is for this Court to decide the same in W.P(MD).No.20481 of 2024.

4. With the above direction, this Writ Petition is disposed of.

No costs.

02.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
Rmk



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To

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- 2.The Deputy Superintendent of Police,
Devakottai Taluk,
Sivagangai District.
- 3.The Inspector of Police,
Aaravayal Police Station,
Devakottai Taluk,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

Rmk

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