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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:12.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.3120 of 2021
and WMP No.3543 of 2021

S.Dhanasekharen

... Petitioner

Vs.

1. The Commissioner of Police,
No.132, Commissioner office building,
Sampath Road, Vepery,
Chennai 600 007.
2. The Deputy Commissioner of Police,
Avadi, Chennai 600 053.
3. The Inspector of Police,
T13, Kundrathur Police Station,
SH 113, Kundrathur - 600 069
4. Thangaraj
5. Balavel
6. Siva
7. Sakthivel
8. Velu
9. Embrose
10. Kasilingam
11. Ambrose
12. Kaveri

13. Parimala @ Parasakthi
14. Ponnuvel
15. Jeevanantham
16. Udayakuar
17. Devendran

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...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus directing the respondents 1 to 3 to provide adequate police protection to the petitioner herein at the property morefully described in the schedule.

For Petitioner : Mr.R.Arvind Srivatsa

For Respondents :Mr.M.Mohammed Riyaz
Additional Public Prosecutor
for R1 to R3

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondent police to provide police protection to the petitioner, pursuant to the complaint given by the petitioner on 29.01.2021.

2. The case of the petitioner is that he is involved in real estate business and the subject property was purchased by the

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petitioner under various registered sale deeds in the year 2018 and 2019. Thereafter, the petitioner has been accorded sanction for carrying out a housing scheme and the petitioner and his partners are the promoters of the housing scheme.

2. The petitioner was not able to carry on with the work due to the pandemic situation. The petitioner thereafter resumed the work from August 2020 onwards. When the work was carried out at the site, the private respondents seemed to have barged into the property and had demanded for some money. When this was questioned, those persons have caused threat and had abused the workmen, who were present at the site. Those persons had also made it very clear that they belong to a particular political party named Viduthalai siruthaigal and there is nothing that can be done against them, unless money is paid to them.

3. There has been a spate of complaints of similar nature where persons are involved in land grabbing in the garb of

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belonging to a particular political party. Political parties are supposed to work for the welfare of the people and the name of the political party should not be used for the purpose of land grabbing. Unfortunately, when complaints are given to the police, they are also not in a position to react effectively fearing consequences. It is high time for the political bosses to take control of their cadres and stop them from involving in such activities of land grabbing, failing which, it will have a direct impact on the reputation of the political party. These attempts made to demand money in the name of election expenses and to grab the property by using the name of the political party must be crushed with iron hands. These activities are a direct challenge to democracy and rule of law. No one is above law and it includes even political parties.

4. In the present case, the learned counsel for the petitioner produced a photograph, wherein it is seen that these persons claiming to be belonging to a particular political party, have put up a shamiana in the property and all of them are comfortably

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sitting in a chair and illegally occupying the property. This Court cannot turn a blind eye to such blatant illegal activities committed by certain persons claiming to belong to a particular political party.

5. In view of the above, there shall be a direction to the Deputy Commissioner of Police, Avadi, who is the 2nd respondent in this writ petition to immediately provide police protection to the petitioner and ensure that action is taken against the land grabbers. If any expenses have to be paid by the petitioner for the purpose of granting police protection, the same shall be paid by the petitioner. The 2nd respondent shall ensure that no body takes advantage of their status claiming to be a cadre in a particular political party and continue to cause threat to the petitioner and attempt to grab the property. The petitioner is directed to make fresh representation to the 2nd respondent along with all the relevant documents and also a copy of this order.

6. The writ petition is disposed of with the above

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directions. No costs. Consequently, the connected miscellaneous
petition is closed.

12.02.2021

rka
Index:Yes/No
Internet:Yes/No

N.ANAND VENKATESH, J.,

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To

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2. The Deputy Commissioner of Police,
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3. The Inspector of Police,
T13, Kundrathur Police Station,
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4. The Public Prosecutor
High Court, Madras.

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