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W.P.Crl.No.1351 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2026

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THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

W.P.Crl.No.1351 of 2025
and WP.M.P.Crl.No.654 of 2025

P.Chinnappa

... Petitioner

vs.

1.State rep. by
Inspector of Police
E-3 Teynampet Police Station,
Chennai – 600 018

2.Usha Rani

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st Respondent to provide proper security and safe guard for usage of the petitioner's property and use the common passage comprised in OFB No. 5618, 5619, 5620, 5642 and 5643 within the SRO Mylapore, Block No. 0073 Mylapore part II town, having total extent of 1365 + 1549 = 2914 sq.ft., within Teynampet Guideline village, Bearing New Door No.95, 97 Old Door No. 43, 44, Alwarpet Street, Chennai – 600 018 the common passage measuring 20 ft. wide on the South, 12 ft. wide on the North, and 51 ft. long North to South on the East, 58.6 ft. length North to South on the West.

For Petitioner : Mr.T.S.Rajamohan

For R1 : Mr.R.Ganesh Kumar
Counsel for Government of Tamil Nadu
(Criminal Side)



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ORDER

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This Writ Petition has been filed for forbearing the 2nd respondent from in any manner use the common passage comprised in OFB No. 5618, 5619, 5620, 5642 and 5643 within the SRO Mylapore, Block No. 0073 Mylapore part II town, having total extent of 1365 + 1549 = 2914 sq.ft., within Teynampet Guideline village, Bearing New Door No.95, 97 Old Door No. 43, 44, Alwarpet Street, Chennai – 600 018 the common passage measuring 20 ft. wide on the South, 12 ft. wide on the North, and 51 ft. long North to South on the East, 58.6 ft. length North to South on the West.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner claiming way as common in Survey No.3683/35, measuring an extent of 2914 sq.ft., situated at Teynampet Guideline village, Bearing New Door No.95, 97 Old Door No. 43, 44, Alwarpet Street, Chennai – 600 018 by the registered Sale Deed dated 10.11.2021 registered vide Document No.1312 of 2021. However, the 2nd respondent objecting the petitioner from using the pathway and also she dugged up a pit in the public pathway and as such, the petitioner could not use the pathway. Therefore,



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the petitioner lodged a complaint before the 1st respondent seeking police protection to enjoy the common pathway. On receipt of the said complaint, the 1st respondent conducted enquiry and closed as the dispute is civil in nature.

4. In view of the above, the petitioner ought to have approached the Civil Court for appropriate relief based on the document. The police protection cannot be granted to use the common pathway.

5. Accordingly, the Writ Petition (Criminal) is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

14.07.2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
dm

To

1.The Inspector of Police,
E-3 Teynampet Police Station,
Chennai – 600 018.

2.The Public Prosecutor,
High Court of Madras,
Chennai.

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G.K. ILANTHIRAIYAN, J.

dm

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