

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.05.2016

CORAM

**THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN**

**W.P.No.17767 of 2016 & W.M.P.No.15449 of 2016**

Masiriathal

...Petitioner

Vs.

- 1.The Inspector of Police,  
15, Velampalayam Police Station,  
15, Velampalayam,  
Tirupur – 641652.
- 2.Assistant Commissioner of Police,  
Velampalayam ring road,  
Sirupooluvappati,  
Tirupur - 641 652.
- 3.Commissioner of Police,  
Velampalayam ring road,  
Sirupooluvapatti,  
Tirupur – 641 652.
- 4.District Collector,  
Palladam road,  
Tirupur – 641 604.
5. M/s.Meridian apparels Limited,  
Represented by its director,  
Vinodkumarsarogi,  
No.8/626, A V P layout,  
Angeripalayam roadm,  
Tirupur.

..Respondents

**vPrayer:-** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the

respondents 1 to 3 to give proper police protection to the petitioner who is in occupation, possession and enjoyment of the said tenancy property as per the representation dated 03.05.2016.

For Petitioner :Mr.K.Balakrishnan

For Respondents :MrM.Maharaja  
1 to 3 Additional Public Prosecutor

### **ORDER**

This Writ Petition has been filed seeking direction to the respondents 1 to 3 to give police protection to the petitioner who is in occupation, possession and enjoyment of the leased out property of the fifth respondent.

2. The petitioner is a lessee in respect of the land in Survey No.295/2, Chettipalayam, Village, Thirumuruganpoondi, Tirupur District and the fifth respondent, who has purchased the property recently filed a civil suit against the petitioner in O.S.No.194 of 2016 and also obtained an Order of interim injunction in I.A.No.205 of 2016 on the file of the Sub-Ordinate Judge, Tirupur and he is taking steps to vacate the petitioner by force. Hence in order to protect his enjoyment and possession of the property, he sent a representation to the respondents on 03.05.2016 seeking police protection.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 to 3.

3. Admittedly, the fifth respondent filed a suit against the petitioner and also obtained an Order of injunction. If at all, the petitioner is anticipating any action at the hands of the fifth respondent for eviction, his remedy is only before the Civil Court and for that purpose, he cannot seek for police protection. As such, this Writ Petition is liable to be dismissed.

3. Hence, this Writ Petition is dismissed. Consequently, the connected miscellaneous petition is closed. No cost.

**12.05.2016**

vrc/gv

To

1.The Inspector of Police,  
15, Velampalayam Police Station,  
15, Velampalayam,  
Tirupur – 641652.

2.Assistant Commissioner of Police,  
Velampalayam ring road,  
Sirupooluvappati,  
Tirupur - 641 652.

3. Commissioner of Police,  
Velampalayam ring road,  
Sirupooluvapatti,  
Tirupur – 641 652.

4. District Collector,  
Palladam road,  
Tirupur – 641 604.

**V.BHARATHIDASAN.J.**

vrc/gv

**W.P.No.17767 of 2016**

**12.05.2016**