



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2017

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No.13966 of 2017

WEB COPY

M.Salai Kumar

... Petitioner

-Vs-

1.The Commissioner of Police,
Tirunelveli City.

2.The Inspector of Police,
Pettai Police Station,
Tirunelveli City.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to consider and dispose of petitioner's representation dated 05.07.2017 sent for the purpose of police protection for his life and limb, as expeditiously within the time stipulation as prescribed by this Court.

For Petitioner : Mr.R.Anand
For Respondents : Mr.A.K.Baskarapandian,
Special Government Pleader.

O R D E R

This Writ petition has been filed for issuing a Writ of Mandamus, directing the respondents 1 and 2 to consider and dispose of the petitioner's representation dated 05.07.2017 sent for the purpose of police protection for his life and limb, as expeditiously within the time stipulation as prescribed by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

3. The representation of the petitioner, dated 05.07.2017, is for giving protection to the petitioner not only to his life but, also in relation to his property. From the representation it is clear that there is a dispute between the petitioner and some third parties and it is alleged that there is a physical threat. It was further alleged that the named individual referred in his representation have trespassed into the property of the petitioner and that the petitioner is not able to manage the property. When the petitioner foresee or experience any difficulty or any source: <https://hcservices.org/> enjoying his property, it is always open to him to approach the Civil Court for appropriate remedy.



4. The Civil Court alone is competent to decide the question of title or rival claim of any one in relation to the property in dispute. The petitioner has not filed any document except the representation. In the representation, he has not referred to any document or order passed by the competent Court with regard to any right. This Court has been consistently taking the stand that the petitioner cannot seek police protection to his property. Since, the dispute is purely civil in nature, if any observation is made, it is likely to affect the property rights of individual.

5. In such circumstances, this writ petition is dismissed. However the petitioner is at liberty to approach the Civil Court for appropriate remedy. If the petitioner is able to convince the Civil Court and get any interim order to protect his possession, the petitioner can also approach the Civil Court for getting police protection. No Costs.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Tirunelveli City.

2. The Inspector of Police,
Pettai Police Station,
Tirunelveli City.

+1cc to M/S.R.Anand, Advocate SR.No. 68769

+1cc to Special Government Pleader, SR.No. 69023

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CP/MM
JM/SKN RSK/SAR 3/05.09.2017/2P/5C