



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.06.2017

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WEB COPY

THE HON'BLE MR.JUSTICE P.N.PRAKASHW.P. (MD) No.4730 of 2017 and
W.M.P. (MD) No.5292 of 2017T.Boominathan
Rep. by his Power of Attorney
Krishna Rajendra Prasad

... Petitioner

-VS-

1. The Commissioner of Police,
Ramanathapuram Road,
Sundarraaj Nagar,
Subramaniyapuram,
Sangillyandapuram,
Tiruchirappalli-620 020.
2. The Inspector of Police,
Thillai Nagar Police Station,
Thillai Nagar,
Tiruchirappalli-620 018.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the first respondent to provide police protection to the petitioner and secure him the peaceful ingress and egress into the property situated at A-16/5, Thillai Nagar, 1-24, 1st Cross Street, Trichy.

For Petitioner : Mr.Naveen Kumar Murthi
For Respondents : Mr.T.S.Mohammed Mohideen,
Addl. Govt. Pleader

O R D E R

This petition has been filed, seeking to direct the first respondent to provide police protection to the petitioner and secure him the peaceful ingress and egress into the property situated at A-16/5, Thillai Nagar, 1-24, 1st Cross Street, Trichy.

2. It appears that there is a dispute between the petitioner and his brother Vaidyalingam with regard to a property situated at A-16/5, Thillai Nagar, 1-24, 1st Cross Street, Trichy and therefore, this petitioner has filed the present writ petition through his Power Agent.



3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4. In the considered opinion of this Court, in a dispute of this nature, a writ of mandamus cannot be issued as prayed for by the petitioner and it is open to the petitioner to approach Civil Court for appropriate relief against his brother Vaidyalingam. However, the Police shall ensure that no physical harm befalls the petitioner.

5. With the above observation, this petition is closed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (ADII)

/True Copy/

Sub-Assistant Registrar

To:

1. The Commissioner of Police,
Ramanathapuram Road,
Sundarraaj Nagar,
Subramanipayapuram,
Sangillyandapuram,
Tiruchirappalli-620 020.
2. The Inspector of Police,
Thillai Nagar Police Station,
Thillai Nagar,
Tiruchirappalli-620 018.

+One cc to The Special Government Pleader, SR.No.60986

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RL/4C/2P/KP/SAR1/29/6/2017

W.P. (MD) No.4730 of 2017