



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2017

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THE HON'BLE MR.JUSTICE P.N.PRAKASH

W.P.(MD) No.6905 of 2017

T.P.Sundaram Pillai

... Petitioner

-vs-

1. The Superintendent of Police,
District Police Office,
Trichy District.

2. The Inspector of Police,
Samayapuram Police Station,
Trichy District.

3. S.C.Rathinavel Pillai

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the 2nd Respondent to give adequate police protection to the Petitioner to perform his mandagapadi in the Samayapuram Mariamman Kuthirai Vahana Vazhinadai Dharma Thanneer Pandal Ubaya Mandapa Trust building of the above said Mandapam along with 4 shops in S.No.273/6 7 9 10 and 11 situated in No.10/1-6 and 12/1-5 Ward No.1 East Car Street S.Kannanur Town Panchayat, Samayapuram, Trichy District based on the representation preferred by the petitioner dated 08.04.2017.

For Petitioner

: Mr.N.Sankar Ganesh

For R1 & R2

: Mr.T.S.Mohammed Mohideen,
Addl. Govt. Pleader

O R D E R

This petition has been filed, seeking to direct the 2nd Respondent to give adequate police protection to the Petitioner to perform his mandagapadi in the Samayapuram Mariamman Kuthirai Vahana Vazhinadai Dharma Thanneer Pandal Ubaya Mandapa Trust building of the above said Mandapam along with 4 shops in S.No.273/6 7 9 10 and 11 situated in No.10/1-6 and 12/1-5 Ward No.1 East Car Street S.Kannanur Town Panchayat, Samayapuram, Trichy District based on the representation preferred by the petitioner dated 08.04.2017.

<https://hcservices.courts.gov.in/hcservices/> The matter was taken up for hearing, learned Additional Government Pleader submitted that since civil suit is pending in O.S.No.378 of 2016 before the learned District Munsif



Court, Trichy, the Police cannot take action and give protection to one side.

3. In view of the above submission, this Court is of the view that the mandamus as prayed for by the petitioner cannot be granted at this juncture especially in the light of the fact that Civil Court has seized of the dispute between the petitioner and R3. Hence, this petition is closed with liberty to the petitioner to work out his remedy before the Civil Court in the manner known to law. No costs.

Sd/-
Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To:

1. The Superintendent of Police,
District Police Office,
Trichy District.
2. The Inspector of Police,
Samayapuram Police Station,
Trichy District.

+One cc to The Special Government Pleader, SR.No.52513

+One cc to Mr.N.Shankar Ganesh, Advocate, SR.No.52342

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RL/5C/2P/RR/5.5.2017

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