



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.10.2019**

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P(MD) .No.12104 of 2019

and

W.M.P (MD)No.9094 of 2019

S.Tamilarasi

.. Petitioner

Vs.

1.The Superintendent of Police,
Ramnad District, Ramnad.

2.The Inspector of Police,
Nainarkoil Police Station,
Ramnad District.

3.Thirunagalingam

.. Respondents

Prayer : This petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the first and second respondents to provide police protection to the petitioner, while the electricity connection will be restored in her Tiled House property situated in S.No.422/9 of Nainarkoil Village Group, Ward No.3, South Car Street, Paramakudi Taluk, Ramnad District till the disposal of I.A.No.462/2018 in O.S.No.110/2015 on the file of the Sub-Court, Paramakudi on the basis of the representation made by the petitioner, dated 03.05.2019 in accordance with law.

For Petitioner : Mr.V.Kannan

For R1 & R2 : Mr.R.Anandharaj
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the first and second respondents to provide police protection to the petitioner, while the electricity connection will be restored in her Tiled House property, situated in S.No.422/9 of Nainarkoil Village Group, Ward No.3, South Car Street, Paramakudi Taluk, Ramnad District, till the



disposal of I.A.No.462/2018 in O.S.No.110/2015, on the file of the Sub-Court, Paramakudi, on the basis of the representation made by the petitioner, dated 03.05.2019

2. It is seen that the petitioner purchased the property comprised in S.No.422/9 situated in Nainarkoil Village, Ward No.3, South Car Street, Paramakudi Taluk, Ramnad District to an extent of 2564 Sq.ft. At the same time, the third respondent entered into the sale agreement with the vendors of the petitioner. He also filed a suit for specific performance in O.S.No.110/2015 and obtained an ex-parte decree. The trial Court also executed a sale deed in favour of the third respondent for the very same property. Thereafter, the electricity service connection provided to the said house was disconnected. The petitioner also filed a petition to set-aside the ex-parte decree along with condone delay petition in I.A.No.462 of 2018 in O.S.No.110 of 2015 and it is pending on the file of the Sub-Court, Paramakudi. Now, the petitioner seeks police protection from the second respondent, while providing electricity service connection given to his house on the hands of the third respondent.

3. It is made clear that if the petitioner is entitled to for electricity service connection and the Electricity Board finds no difficulty to provide electricity service connection to the petitioner they can very well seek for police protection. On the request of the petitioner, the police protection cannot be granted, since already for the very same property. There are two sale deeds executed in favour of the petitioner and also the third respondent herein. Therefore, police protection, as sought for by the petitioner, cannot be granted and the Writ Petition is devoid of merits and liable to be dismissed.

4. In the result, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-I)

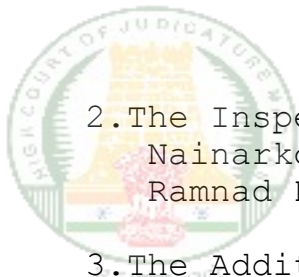
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Sub Assistant Registrar(CS)

vsd

To

1.The Superintendent of Police,
Ramnad District,
Ramnad.



2.The Inspector of Police,
Nainarkoil Police Station,
Ramnad District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.V.KANNAN, Advocate SR-92436.

+1 CC to M/s.P.BANU PRASATH, Advocate SR-92928.

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CS (11.11.2019) 3P 6C