



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.08.2019

CORAM:

WEB COPY

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

W.P. (MD)No.977 of 2018

and

W.M.P. (MD)No.1022 of 2018

M.Sembukutty : Petitioner

Versus

- 1.The Superintendent of Police,
Theni District.
- 2.The Deputy Superintendent of Police,
Theni, Theni District.
- 3.The Inspector of Police,
Theni Police Station, Theni.
- 4.The Inspector of Police,
District Crime Branch, Theni.
- 5.A.Senthilkumar : Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 4 herein to provide police protection to the life and property of the petitioner as per the representation of the petitioner dated 21.12.2017 given in person to the respondents 1-3 herein.

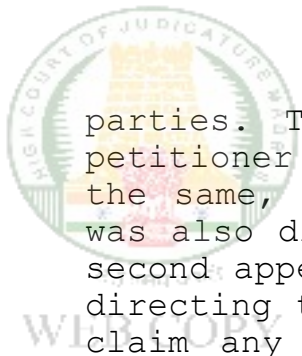
For Petitioner : Mr.K.Appadurai
For Respondents 1to4 : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor
For Respondent No.5 : Mr.D.Nallathambi

O R D E R

This Writ Petition has been filed seeking police protection, based on the representation of the petitioner dated 21.12.2017.

2. Heard the submissions made on either side.

3. The learned counsel appearing for the fifth respondent submitted that earlier there was a civil dispute between the



parties. The Civil Court has granted a decree in favour of the petitioner in respect of the above mentioned property. Challenging the same, the defendants in the suit filed an appeal and the same was also dismissed. Aggrieved over the same, the defendants filed a second appeal before this Court, which was also dismissed, however, directing the petitioner, who was the plaintiff in the suit, not to claim any right in respect of Survey No.192/2B and 2C. Now, the petitioner filed a review application to review the above judgment and the same is pending before this Court. Pending review, the present Writ Petition has been filed.

4. Considering the fact that earlier there was a civil dispute between the parties and now, a review application is also pending, at this stage, the prayer sought for by the petitioner cannot be granted. Hence, the Writ Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar(CS)

SML

To

1.The Superintendent of Police,
Theni District.

2.The Deputy Superintendent of Police,
Theni, Theni District.

3.The Inspector of Police,
Theni Police Station, Theni.

4.The Inspector of Police,
District Crime Branch,
Theni.

+1 CC to M/s.D.NALLATHAMBI, Advocate (SR-81561[F] dated 14/08/2019)

+1 CC to M/s.K. APPADURAI, Advocate (SR-81652[F] dated 14/08/2019)

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KK/SAR/03.09.2019/2P-7C/