



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2019

CORAM:

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

**W.P. (MD)No.10080 of 2018**

J.S.Gladsin Jerresh : Petitioner

Versus

1.The Superintendent of Police,  
Kanyakumari District,  
Nagercoil.

2.The Inspector of Police,  
Kaliyakkavilai Police Station,  
Kanyakumari District.

: 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 to provide the petitioner necessary police bandobust to safeguard his life as well as his property situated in Survey Nos.113/6A, 113/6B and 113/6C measuring an extent of 1.08 Acres in Kulapuram Village, Vilavancode Taluk, Kanyakumari District, by considering the petitioner's representation dated 24.04.2018 addressed to the respondents.

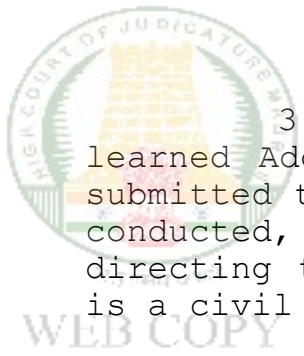
For Petitioner : Mr.T.R.Janarthanan  
For Respondents : Mr.K.K.Ramakrishnan,  
Additional Public Prosecutor

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**O R D E R**

This Writ Petition has been filed seeking police bandobust.

2. According to the petitioner, his father entered into a sale agreement with one Jegatheeskumar and his wife Shiji Jacqline Rose, Shebha Jacqline Rose, Shijin Jacqline Rose through his power agent, one Swarnam, and paid a sum of Rs.30,25,000/- as advance and took possession of the properties for development. Pending agreements, the petitioner's father died on 17.07.2017 and the vendors have sold the properties to a third party. Now, the third party is disturbing the possession of the petitioner. Hence, he filed an application to the respondents on 25.04.2018 seeking police protection. But the same was not considered so far. In the above circumstances, the present Writ Petition has been filed.



3. Today, when the Writ Petition came up for hearing, the learned Additional Public Prosecutor appearing for the respondents submitted that based on the petitioner's complaint, enquiry has been conducted, and after enquiry, the complaint has been closed, directing the parties to approach the Civil Court concerned, as it is a civil dispute.

4. Considering the fact that already, based on the petitioner's complaint, enquiry has been conducted, and after enquiry, the complaint has been closed, directing the parties to approach the Civil Court concerned, the prayer sought for by the petitioner cannot be granted at this stage. Hence, the Writ Petition stands closed. No costs.

Sd/-

Assistant Registrar (Cr1.Side)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Superintendent of Police,  
Kanyakumari District,  
Nagercoil.
- 2.The Inspector of Police,  
Kaliyakkavilai Police Station,  
Kanyakumari District.

+1 CC to Mr.S.R.ANBARASU, Advocate SR-83465.

Order made in  
**W.P. (MD)No.10080 of 2018**  
**Dated: 22.08.2019**

CS(06.09.2019) 2P 4C