

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.2047 of 2021

Muralitharan,
S/o.Sampath.

... Petitioner

Vs.

1.The Inspector of Police,
Erode Taluk Police Station,
Erode District.

2.Mahadevan,
S/o.Subramaniyan.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the 1st respondent to give police protection for the personal safety of life and property of this petitioner complaint dated 19.12.2020 from the 2nd respondent and pass orders.

For Petitioner : Mr.C.R.Ponnuthai

For R1 : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

O R D E R

This writ petition has been filed for issue of Writ of Mandamus, directing the first respondent to grant police protection to the petitioner pursuant to the complaint given on 19.12.2020.

2.It is seen from records that the petitioner is the owner of the property and the second respondent is the tenant in the property. The allegation that has been made in the petition is that the second respondent is not vacating and handing over the property and causing threat to the petitioner.

3.In the considered view of this Court, a dispute of this nature can never be interfered by the respondent Police. If the second respondent is not vacating and handing over the property, it is left open to the petitioner to file a suit

before the appropriate Court or before the Rent Controller to seek for eviction of the second respondent. There is no question of first respondent Police giving police protection for the purpose of evicting the second respondent. Except giving this liberty, no further orders can be passed in this writ petition.

4.This Writ Petition is disposed of accordingly.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Inspector of Police,
Erode Taluk Police Station,
Erode District.

2.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.C.R.Ponnuthai, Advocate sr 5835.

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SS(CO)
SP(23/02/2021)

सत्यमेव जयते

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