

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:08.02.2021

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P No.2509 of 2021
and
W.M.P No.2834 of 2021

S.Vijayalakshmi

...Petitioner

.Vs.

1. The Superintendent of Police
Thiruvallur District
Thiruvallur.
2. State rep. by
The Inspector of Police (Law & Order)
T9-Pattabiram Police Station
Pattabiram, Chennai-600 072
3. Balaraman

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1st and 2nd respondents herein to provide police protection to the petitioner herein and to safeguard her landed property to the extent of 51 cents situated in Ayan Nanja S.No.149, Ward No.E, Block No.49 bearing Patta No.969, New Survey No.101/3, Old Survey No.149/Part of Thandurai Village, Avadi Taluk, Thiruvallur District and also directing the 1st and 2nd respondents herein to take necessary action as against the 3rd respondent.

For Petitioner : Mr.A.Prakash

For Respondents 1 &2 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus directing the respondent police to provide police protection to the petitioner in order to safeguard her property by considering the complaint given by the petitioner on 11.11.2020.

2. The case of the petitioner is that she is the absolute owner of the subject property and the title deeds as well as the revenue records stands in her name. The grievance of the petitioner is that the 3rd respondent who has no right or title over the property, is causing threat to the petitioner and is attempting to trespass into the property and is not allowing the petitioner to clear the bushes and construct a compound wall around the property. The petitioner gave a complaint in this regard to the 2nd respondent on 11.11.2020. Since the same was not considered, the present writ petition has been filed.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondents 1 & 2.

4. In the present case, the grievance of the petitioner is that the 3rd respondent is interfering with her possession and enjoyment of the subject property. According to the petitioner, the 3rd respondent has absolutely no right or title over the property. In a case of this nature, it would be appropriate for the petitioner to approach the competent civil court and seek for necessary orders against the 3rd respondent. The respondent police cannot decide any interse rights over the property. Therefore, except granting liberty to the petitioner to work out her remedy before the competent civil court, no further orders can be passed in this petition.

5. This writ petition is disposed of accordingly. No cost. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

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

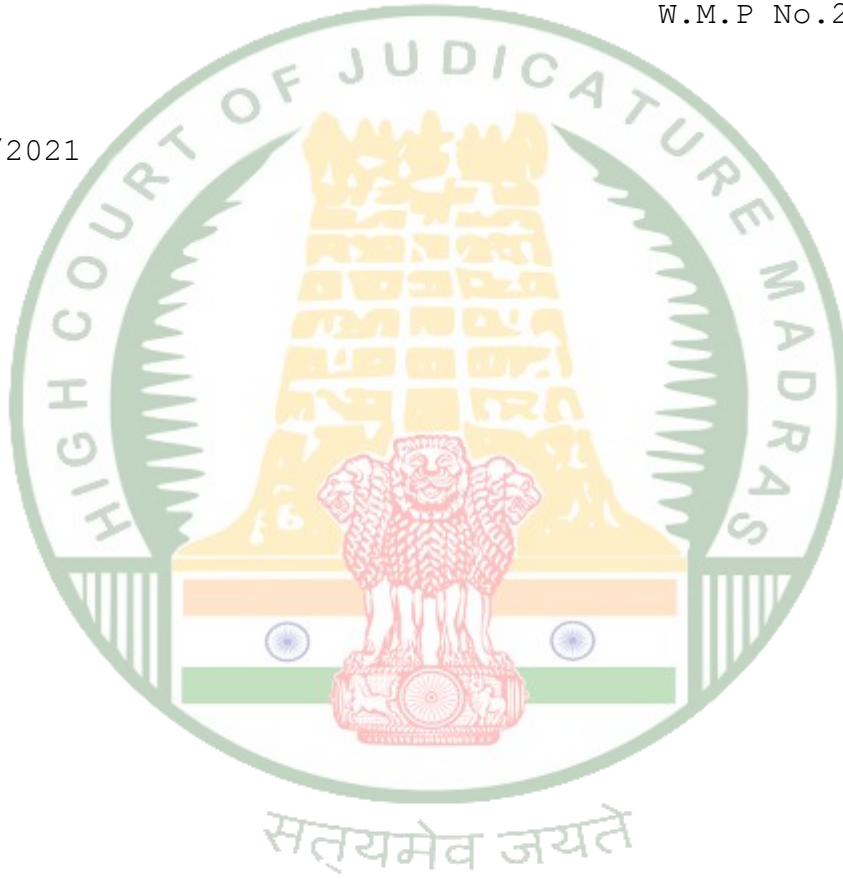
2.The Inspector of Police (Law & Order),
T9-Pattabiram Police Station,
Pattabiram, Chennai-600 072.

3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.A.Prakash, Advocate Sr.7052

W.P.No.2509 of 2021 &
W.M.P No.2834 of 2021

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srg 01/03/2021



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