

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.4659 of 2021

Nirmala

W/o.Late S.P.Sivasubramaniam

.. Petitioner

-VS-

1.The State

Rep. By Inspector of Police,
Mahalingapuram Police Station,
Mahalingapuram,
Pollachi.

2. Mayilsamy

3. Rasappan

4. Ramathal

5. Pisal Raja

6. Kanagaraj

.. Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus directing the 1st respondent to consider the representation of petitioner dated 29.12.2020 to grant police protection to the life and liberty of the petitioner.

For Petitioner : Mr.N.Umapathi

For Respondents : Mr.C.Raghavan,
Govt. Advocate for R1 and R2

WEB COPY
ORDER

This writ petition has been filed seeking for a direction to the first respondent police to consider the representation made by the petitioner on 29.12.2020 wherein the petitioner seeking for police protection for her life and liberty.

2.It is seen from the records that there is a dispute with regard to the subject property and the grievance of the petitioner is that the respondents 2 to 6 have no semblance of

right over the property and in spite of the same, there must be preventing ingress and egress of the petitioner in the subject property and also causing threat. The petitioner has given a complaint in this regard to the first respondent on 29.12.2020. Since no action is acted upon, the present writ petition has been filed before this Court.

3. Heard Mr.N.Umapathi, learned counsel for the petitioner and Mr.C.Raghavan, learned Government Advocate for the first respondent.

4. In the considered view of this Court, the actual dispute in the present case is resolved around the right over the subject property. The police will have no role to play in a case of this nature. The petitioner has to necessarily workout her remedy before the competent civil court and seek appropriate orders restraining the private respondents from interfering with her possession and enjoyment of the property. Except granting this liberty, no further orders can be passed in this writ petition.

5. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CS-VII)

//True copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Mahalingapuram Police Station,
Mahalingapuram, Pollachi.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.N.Umapathi, Advocate SR.No.12361

W.P.No.4659 of 2021

PCH (CO)
GMY (08/04/2021)