



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2021

CORAM:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

W.P.Nos.11313 and 11316 of 2021

W.P. No.11313 of 2021

CLN Cinemas,
Rep. by Mr.Praveen Prasad,
No.15/8, Dhanappa Mudhali Street,
Madurai - 625 001.

...Petitioner

Vs.

- 1.The Superintendent of Police,
Chengalpattu,
Chengalpattu District.
- 2.The Deputy Superintendent of Police,
Chengalpattu,
Chengalpattu District.
- 3.The Inspector of Police,
Chengalpattu Police Station,
Chengalpattu.
- 4.Kasthuri Ramadas
- 5.S.Ramadas
- 6.R.Suresh

...Respondents

W.P. No.11316 of 2021

CLN Cinemas,
Rep. by Mr.Praveen Prasad,
No.15/8, Dhanappa Mudhali Street,
Madurai - 625 001.

... Petitioner

Vs.

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



2. The Deputy Superintendent of Police,
Maduranthagam Thaluk,
Chengalpattu District.

3. The Inspector of Police,
Maduranthagam Police Station,
Maduranthagam Taluk,
Chengalpattu District.

4. Kasthuri Ramadas

5. S. Ramadas

6. R. Suresh

... Respondents

PRAYER in W.P. No.11313 of 2021: Writ petition filed under Article 226 of Constitution of India praying to issue a writ of mandamus directing the respondent herein more particularly the third respondent the Inspector of Police, Chengalpet Police Station to give necessary Police protection to the petitioner herein to take possession of the property in Survey Nos.905/1 and 905/2 (SRK Theatre, Chengalpet).

PRAYER in W.P. No.11316 of 2021: Writ petition filed under Article 226 of Constitution of India praying to issue a writ of mandamus directing the respondent herein more particularly the third respondent the Inspector of Police, Maduranthagam Police Station to give necessary Police protection to the petitioner herein to take possession of the property in Survey Nos.1255/2B1, 1255/3A1, 1255/3A2, 1255/3B1, 1255/3B2A and 1255/3B2B (S.R.Theatre, at Maduranthagam)

For Petitioner : Mr. C.D.Johnson
(in both W.P's.)

For Respondents 1-3 : Mr. A.Damodaran
(in both W.P's.) Counsel for Govt. of Tamilnadu
(Crl.side)

COMMON ORDER

These writ petitions are filed for issuing a writ of mandamus directing the third respondent to give necessary Police protection to the petitioner herein.

2. Heard the learned counsel for the petitioner and the learned counsel for Government of Tamilnadu (Criminal Side).

3. The petitioner is a film distributor by profession in and around Madurai and neighbouring districts. The petitioner



entered into a lease agreement with the respondents 4 to 6. ***The grievance of the petitioner is that the respondents 4 to 6 have not repaid huge amount during pendency of the lease period and the petitioner and his father were not permitted to enter into the premises.** Therefore, the petitioner seeks Police protection.

4. Considering the facts and circumstances, this Court is of the view that the petition for Police protection is not at all maintainable since the entire dispute appears to be a civil dispute. When there is a breach of contract between the parties, Police cannot be used as a machinery to prevent it. The petitioner is at liberty to work out his remedy in accordance with law.

5. Accordingly, these writ petitions are dismissed. No costs.

Sd/-
Assistant Registrar(CO)
Dated: 16/07/2021

*** Amended as per the order
dated 19.07.2021 made in
W.P.Nos.11313 & 11316/2021
Sd/- Assistant Registrar(CO)
Dated: 27.07.2021**

//True Copy//

Sub Assistant Registrar

bkn

To

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

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

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

4.The Deputy Superintendent of Police,
Maduranthagam Taluk,
Chengalpattu District.

To be substituted
to the order already
Despatched on 16.07.2021



5.The Inspector of Police,
Maduranthagam Police Station,
Maduranthagam Taluk,
Chengalpattu District.

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Copy to
The Public Prosecutor,
High Court, Madras -104

W.P.Nos. 11313 and 11316 of 2021

GP (CO)
KKV/16/07/2021
SP (27/07/2021)