



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22/10/2021

CORAM:

THE HONOURABLE MR JUSTICE G.ILANGO VAN

W.P. (MD) No.12222 of 2021

B.Muthukumaran

... Petitioner

Vs.

1.The Commissioner of Police,
Trichy City,
Trichy District.

2.The Inspector of Police,
Land Grabbing Special Cell,
Office of the Commissioner,
Trichy District, Trichy.

3.The Inspector of Police,
KK Nagar Police Station,
Trichy City, Trichy.

4.P.Raju
5.P.Nataraj
6.N.Kannan

... Respondents

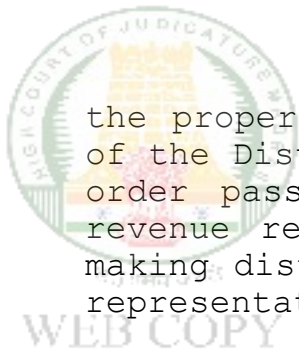
Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ or direction or any other writ in the nature of writ of Mandamus, directing the respondents to provide adequate police protection to the petitioner and to take action against the respondents 4 to 6 based on the representation of the petitioner dated 29.06.2021.

For Petitioner	: Mr.S.Ramsundarvijayraj
For R1 to R3	: Mr.R.M.Anbunithi, Additional Public Prosecutor(Crl.Side)
For R4 to R6	: Mr.S.Sarvaganprabhu

O R D E R

This petition is filed seeking issuance of writ of mandamus to provide police protection on the basis of the representation dated 29.06.2021.

2.The case of the petitioner is that originally the property in Survey No.14/1 and 14/6 belong to his father and by way of settlement, it came to the petitioner and now, he is in possession of the same and in the revenue records, the name of some other accused have been recorded and on his representation, those entries have been removed. The private respondents, who have no right over



the property, have filed the suit in O.S.No.96 of 2021 on the file of the District Munsif Court, Trichy for declaration challenging the order passed by the District Revenue Officer over the change of revenue records. Even after filing the above said suit, they are making disturbances to the petitioner's possession and so he gave a representation on 24.06.2021 seeking police protection.

3.The learned Additional Public Prosecutor would submit that based upon the representation made by the petitioner, enquiry was undertaken in CSR No.308 of 2021 and similarly based upon the complaint given by the petitioner against the private respondents, enquiry has been undertaken in CSR No.306 of 2021 and enquiry was also undertaken by the Anti Land Grabbing Cell in C.P.No.114 of 2021. All the above said complaints have been closed observing that it is civil dispute between the parties. So the parties are advised to comply and follow the orders to be passed in the above said pending suit.

4.The suit in O.S.No.127 of 2015, 469 of 2016 and 936 of 2015 are also pending before the concerned courts. In such circumstances, granting of police protection to one of the parties is found to be improper. On that ground all these complaints have been closed. So, only remedy that is available to the petitioner is that he has to work out his remedy in the above said suits, which are pending before the concerned courts. It is a right way of advise during the course of enquiry. Depending upon the civil court's judgment, further steps can be taken by the petitioner and no relief can be granted to the petitioner at this stage. Hence, this petition deserves dismissal and the same is dismissed.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM

To

1.The Commissioner of Police,
Trichy City,
Trichy District.

2.The Inspector of Police,
Land Grabbing Special Cell,
Office of the Commissioner,
Trichy District, Trichy.



3.The Inspector of Police,
KK Nagar Police Station,
Trichy City, Trichy.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.RAMSUNDARVIJAYARAJ, Advocate (SR-32469[F] dated
25/10/2021)

W.P. (MD) No.12222 of 2021
22.10.2021

PS (CO)
RS/JGB (08.11.2021) 3P 6C