



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2021

CORAM

**THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN**

W.P.(MD)No.13960 of 2021

Thiraviyapandiyan

... Petitioner

Vs.

1.The Deputy Inspector General of Police,  
O/o. Deputy Inspector General of Police,  
Thanjavur Range,  
Pampatti Street,  
Maharanombu Chavadi  
Thanjavur - 613 001.

2.The Superintendent of Police,  
O/o. Superintendent of Police Office,  
Thanjavur,  
Thanjavur District.

3.The Inspector of Police,  
Town South Police Station,  
Thanjavur,  
Thanjavur District.

4.Kalyanaraman  
5.Parasuraman  
6.Sridhar

... Respondents

**Prayer:** Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 and 3 to provide necessary Police Protection, to petitioner's life and limb and also petitioner's family members, further take action against the respondents 4 to 6, who are the land grabbers of the land in petitioner's possession in Survey Nos. 3042, 3043, 3044 & Old Surveys Nos. 369, 371, 372, situated in the Thirupurasundari Nagar, Neelagiri Thottam Village, Thanjavur Town Ward No.4, Thanjavur District, to an total extent of 59000 Sq.ft, by considering petitioner's representations dated 27.07.2021.

|                |                              |
|----------------|------------------------------|
| For Petitioner | : Mr.D.Balamurugapandi       |
| For R1 to R3   | : Mr.T.Senthil Kumar         |
|                | Additional Public Prosecutor |
| For R4 to R6   | : Mr.Arul Vadivel @ Sekar    |



**ORDER**

Heard the learned counsel for the petitioner, the learned Additional Public Prosecutor for R1 to R3 and the learned counsel for R4 to R6.

2.The petitioner states that he is in possession and enjoyment of the petition mentioned property. He also claims to be the title holder. The petitioner's allegation is that the private respondents herein are interfering with his possession and enjoyment of the same. Hence, he has filed this petition for obtaining police protection.

3.It is stated by the learned counsel for the private respondents that already the petitioner has filed a civil suit seeking the relief of injunction and that till date, the petitioner has not been able to get any order in his favour.

4.When the petitioner has already moved the civil Court, the question of parallely invoking jurisdiction of this Court under Article 226 of the Constitution of India does not arise in a case of this nature. The police authorities cannot be conferred with the right to adjudicate the rival claims regarding title or possession. These are the matters that are adjudicated only by the jurisdictional civil court. The very filing of this writ petition is misconceived. The rights of the petitioner are left open. I have not gone into the merits of the matter.

5.The Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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**Note:**In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The Deputy Inspector General of Police,  
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2.The Superintendent of Police,  
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Thanjavur,  
Thanjavur District.

3.The Inspector of Police,  
Town South Police Station, Thanjavur,  
Thanjavur District.

+1 CC to M/s.C.ARUL VADIVEL @ SEKAR, Advocate ( SR-34477[F] dated  
15/11/2021 )

+1 CC to M/s.D.BALAMURUGAPANDI, Advocate ( SR-34375[F] dated  
12/11/2021 )

**W.P. (MD) No.13960 of 2021**  
**12.11.2021**

**RS (02.12.2021) 3P 6C**