



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.19455 of 2021

C.Raghavandurai

... Petitioner

Vs.

1.The Superintendent of Police,
O/o. The Superintendent of Police,
Thanjavur.

2.The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Pattukottai,
Thanjavur District - 614 602.

3.The Inspector of Police,
Peravurani Police Station,
Thanjavur.

4.The Sub-Inspector of Police,
Peravurani Police Station,
Thanjavur.

5.Murugesh

6.Uma

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing to the respondents No.1 to 4 herein to provide adequate police protection to petitioner life and limb and his property in Survey No. 128/4 of Aadhanoor village, Peravurani Taluk, Thanjavur District to an extent of 50.6 cents on the basis of his representation dated 30.09.2021 and for other reliefs.

For Petitioner	:	Mr.G.Anto Prince
For R1 - R4	:	Mr.T.Senthil Kumar, Additional Public Prosecutor.



O R D E R

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the official respondents. A reading of the affidavit filed in support of the writ petition indicates that there is a civil dispute pending between the petitioner and the sixth respondent Uma and others. The learned counsel states that when the petitioner entered his own land, the private respondents herein are said to have given life threat and damaged the survey stones. In such a case, the only remedy open to the petitioner is to move the Jurisdictional Civil Court for relief. If the petitioner is able to obtain a Civil Court order or decree in his favour then he can move this Court for obtaining police protection. Unless the petitioner is able to obtain such an order or decree in his favour, he cannot be granted police protection. Of course, if any cognizable offence is made out in the petitioner's complaint, then, it would be the duty of the third respondent to register an FIR and take action as per law. Otherwise, the police authorities are not expected to interfere in civil issues.

2. With these observations and leaving open the rights of the petitioner to move the Jurisdictional Civil Court, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

btr/gbg

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 Superintendent of Police,
O/o. The Superintendent of Police,
Thanjavur.
2. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Pattukottai,
Thanjavur District - 614 602.



3.The Inspector of Police,
Peravurani Police Station,
Thanjavur.

4.The Sub-Inspector of Police,
Peravurani Police Station,
Thanjavur.

5. The Additional Public prosecutor,
Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.G.ANTO PRINCE, Advocate (SR-33984[F] dated
10/11/2021)

W.P (MD) No.19455 of 2021
09.11.2021

SMV (CO)
KB (29.11.2021) 3P 7C