



W.P.No.25020 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2022

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**THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.No.25020 of 2021

R.Dhanabal

... Petitioner

Vs.

The State represented by its  
Inspector of Police,  
Adiyamankottai Police Station,  
Dharmapuri District.

... Respondent

**Prayer:** This Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the Respondent to consider and pass orders on the Petitioner's representation dated 15.09.2020 to give Police protection till completion of Petitioner's house at own land admeasures 28 Cents comprised in Survey No.36/2, Nallampalli village.

For Petitioner : Mr.M.Palanimuthu

For Respondents : Mr.L.Baskaran  
Government Advocate(Crl. Side)



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**ORDER**

The Petitioner had filed this Petition to direct the Respondent to consider and pass orders on his representation dated 15.09.2020 seeking Police protection till the completion of Petitioner's house, admeasuring 28 Cents comprised in Survey No.36/2, Nallampalli village.

2. When the case came up for hearing, the learned Counsel for the Petitioner submitted that the Grand mother of the Petitioner had settled the property in favour of R.Dhanabal/Petitioner herein, R.Raja and R.Sampath in the year 2000. Subsequently, except the Petitioner's father, the other beneficiaries of the settlement deed had sold their share of the property to the third parties. The Petitioner's father is in enjoyment of the property allotted to him by his mother. Now, the Petitioner, who is educated and serving as a Professor in a college wanted to put up construction in the land which is in possession of his father. The relatives of the Petitioners are attempting to interfere with the peaceful possession. Therefore, he seeks to issue a Writ of Mandamus to the Respondent Police for giving protection to the Petitioner's property.



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3. The learned Government Advocate (Crl. Side) submitted that the Petitioner had given a complaint which is registered as C.S.R.No.189 of 2021. The Respondent Police had summoned both the parties and conducted enquiry based on the C.S.R.No.189 of 2021 and both the parties had agreed to resolve the dispute through Civil Court. Therefore, the C.S.R enquiry was closed.

4. Considering the facts and circumstances of the case, this Court exercising Writ Jurisdiction cannot extend protection to the above said property by issuing a Writ of Mandamus to the Inspector of Police. The Petitioner is advised to file a Civil Suit before the Civil Court at his place of residence to get the appropriate relief.

5. With the above direction, this Writ Petition is dismissed. No costs.

**06.07.2022**

Index : Yes / No  
Internet : Yes / No  
Speaking Order/Non-Speaking Order  
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**SATHI KUMAR SUKUMARA KURUP, J.**

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To

- 1.The Inspector of Police,  
Adiyamankottai Police Station,  
Dharmapuri District.
- 2.The Public Prosecutor,  
Madras High Court,  
Chennai.

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