



W.P.No.31911 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2022

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.31911 of 2022

K.Rajeswari

...

Petitioner

/vs/

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

2. The Inspector of Police (L&O),
Natrampalli Police Station,
Natrampalli,
Tirupattur District.

3. K.Bhoopathy

4. B.Babu

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the first and second respondents herein to consider the representation dated 06.10.2022 and 09.11.2022 requesting to provide Police Protection to prevent the third and fourth respondent from their illegal interference into the petitioner's peaceful



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possession and enjoyment of her property situated at Kethandapatti,
comprised in Survey No.134/1, Vaniayampadi Taluk, Vellore District.

For Petitioner ... Mr. S.V.S.Ilamvazhuthi
For Respondents 1&2 ... Mr. S.Santhosh
Govt. Advocate (Crl.Side)

ORDER

The Writ Petition has been filed seeking a writ of mandamus to direct the first and second respondents herein to consider the representations dated 06.10.2022 and 09.11.2022 requesting to provide Police Protection to prevent the third and fourth respondent from their illegal interference into the petitioner's peaceful possession and enjoyment of her property situated at Kethandapatti, comprised in Survey No.134/1, Vaniayampadi Taluk, Vellore District.

2. The petitioner is the plaintiff who filed a suit in O.S. No.51 of 2016 before the District Munsif, Vaniyampadi, in respect of the subject matter for the relief of declaration and permanent injunction and it was dismissed on 22.02.2021. It is submitted by the learned counsel for the petitioner that the petitioner had taken steps to condone the delay in filing



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the appeal. The contention of the learned counsel for the petitioner is that the petitioner's possession over the subject property is being disturbed by the respondents 3 and 4 and hence this Court may direct the second respondent to provide police protection.

3. On perusal of the records, it is seen that the suit filed by the petitioner for permanent injunction against the private respondents has been dismissed. In such a context of the matter, the petitioner cannot be permitted to achieve what he cannot achieve through getting relief from the civil suit by way of getting an order for police protection. Since the petitioner's right over the property is not strengthened with any order of the Civil Court, it is not appropriate to direct the respondent to interfere in civil matters in the form of providing police protection.

4. In view of the above stated reasons, this Criminal Original Petition is dismissed.

29.11.2022

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R.N.MANJULA ,J.

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To

1. The Superintendent of Police,
Tirupattur,
Tirupattur District.
2. The Inspector of Police (L&O),
Natrampalli Police Station,
Natrampalli,
Tirupattur District.
3. The Public Prosecutor,
High Court, Madras.

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