



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.6929 of 2020

Karu.Chinnakannu

...Petitioner

Vs.

1.The Inspector of Police,
Namanasamuthiram Police Station,
Pudukkottai District.

2.Karu.Karuppaiah

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the first respondent to provide adequate protection for fencing the petitioner's land in survey No.456/4A situated at Therkku Thalampatti, Thirumayam Taluk, Pudukkottai District based on the petitioner's representations dated 05.04.2020 and 09.05.2020.

For Petitioner: Mr.M.Ramu

For R1 : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor.

ORDER

The grievance of the petitioner is that the second respondent being his brother is objecting the petitioner for fencing the land in Survey No.456/4A situated at Therkku Thalampatti, Thirumayam Taluk, Pudukkottai District. Therefore, he filed this Writ Petition seeking police protection.

2.From the narration of the facts in the affidavit, it could be seen that there is a dispute over sharing of the property between two brothers. The same is to be resolved only before the Civil Court. Without title being established, blanket directions to the police authority to give protection cannot be ordered.

3.It is stated by the learned Additional Public Prosecutor appearing for the State that a case is also registered against the second respondent in Crime No.132 of 2020 on the file of Namanasamuthiram Police Station for the offences punishable under Sections 147 and 447 of IPC and the matter has been referred to the Revenue Divisional Officer for enquiry.



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4. In such view of the matter, this Court is not inclined to pass any directions. Accordingly, this Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

Myr

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

The Inspector of Police,
Namanasamuthiram Police Station,
Pudukkottai District.

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MK/21.02.2022/2P/2C