



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P. (MD)No.11254 of 2020

and

W.M.P. (MD)Nos.9836 and 11427 of 2020

C.T.Sivakumar

...Petitioner

Vs.

1.The Revenue Divisional Officer,
The Revenue Divisional Office,
Kodaikanal, Dindigul District.

2.The Inspector of Police,
Kodaikanal Police Station,
Dindigul District.

...Respondents

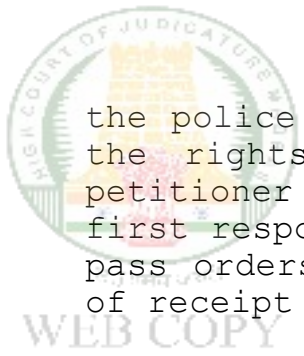
PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the 1st respondent to consider the petitioner's petition dated 23.11.2019 filed under Section 133 of Cr.P.C., on the file of the first respondent and consequently, direct the first respondent to provide protection to the petitioner to repair the common pathway and the adjacent wall which leads to the petitioner's house from the main road in Villpatti Village, Kodaikkanal, Dindigul District.

For Petitioner : Mr.V.Rajiv Rufus
For Respondents : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor.

ORDER

This Writ Petition has been filed seeking a direction to the first respondent to consider the petitioner's petition dated 23.11.2019 filed under Section 133 of Cr.P.C., on the file of the first respondent and consequently, direct the first respondent to provide protection to the petitioner to repair the common pathway and the adjacent wall, which leads to the petitioner's house from the main road in Villpatti Village, Kodaikkanal, Dindigul District.

2.A perusal of the affidavit shows that the dispute is between the petitioner and his neighbour over the pathway. It is stated by the learned Additional Public Prosecutor appearing for the respondents that a case in Crime No.198 of 2016 was also registered for the offences punishable under Sections 427 and 379 of IPC in this regard. As the dispute is civil in nature, no directions to



the police to give protection could be granted without establishing the rights of the petitioner before the Civil Court. As the petitioner has already filed a petition dated 23.11.2019 before the first respondent, the first respondent shall decide the petition and pass orders on merits, within a period of four weeks from the date of receipt of this order.

3. Accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AS)

// 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

1. The Revenue Divisional Officer,
The Revenue Divisional Office,
Kodaikanal, Dindigul District.

2. The Inspector of Police,
Kodaikanal Police Station,
Dindigul District.

W.P. (MD) No.11254 of 2020

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