



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P. (MD)No.12884 of 2020

A.Jahir Hussain ...Petitioner

Vs.

1.The Inspector of Police,
Thirupuvanam Police Station,
Thirupuvanam, Sivagangai District.

2.The Superintendent of Police,
Sivagangai District.

3.A.Mayakalai
4.A.Malaichamy
5.A.Karuppasamy
6.A.Samaiyan

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the first respondent to award adequate police protection in the light of the judgment and decree passed by the Additional District Munsif, Manamadurai in O.S.No.89 of 2015 dated 18.01.2018 so as to enable the petitioner and the petitioner's associates to exercise their property right in Survey Nos.61/2, 62/1, 65/1, 65/2, 66/1 and 66/2 in Keelakarisalkulam Village, Thiruppuvanam Taluk by considering the petitioner's representation dated 02.09.2020.

For Petitioner : Mr.M.Rajaraman
For R1 and R2 : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor.

ORDER

This Writ Petition is filed seeking for police protection to the petitioner in order to exercise his property right in Survey Nos.61/2, 62/1, 65/1, 65/2, 66/1 and 66/2 in Keelakarisalkulam Village, Thiruppuvanam Taluk by considering his representation dated 02.09.2020.

2.It is the contentions of the writ petitioner that he already filed a suit in O.S.No.89 of 2015 on the file of the District Munsif, Manamadurai, wherein the Civil Court has granted permanent injunction in favour of the petitioner on 18.01.2018 and the appeal filed against the said judgment and decree is also



dismissed on 05.02.2020. However, the private respondents are giving trouble. Therefore, the police protection is sought for.

3.At the outset, I am of the view that as the decree is in operation in favour of the petitioner, it is for the petitioner to enforce the decree and judgment of the Civil Court against the private respondents.

4.It is stated by the learned Additional Public Prosecutor appearing for the State that after filing of the Writ Petition, there was no interference. In such view of the matter, no blanket directions could be issued. In the event of any attempt in future, it is well open to the petitioner to lodge a complaint to the first respondent. On such complaint being filed, the first respondent shall take action as per law, if any cognizable offence is made out.

5.Accordingly, this Writ Petition stands dismissed. No costs.

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 Inspector of Police,
Thirupuvanam Police Station,
Thirupuvanam, Sivagangai District.

2.The Superintendent of Police,
Sivagangai District.

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TR(21.02.2022) 2P 3C