



W.P(MD)No.15590 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD).No.15590 of 2022

S.Kalairaja

: Petitioner

Vs

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

2. The Inspector of Police,
Eriodu Police Circle,
Dindigul District.

3. The Sub-Inspector of Police,
Kujiliyamparai Police Station,
Dindigul District.

4. Periyasamy,

5. Selvaraj,

: Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent herein to issue suitable direction to the respondent Nos.2 and 3 to



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give adequate police protection to the petitioner's life and limb based upon the petitioner's representation, dated 11.07.2022.

For Petitioner : M/s. Gokulraj. S,

For R1 to R3 : Mr.M.Sakthi Kumar,

Government Advocate (Crl.Side)

ORDER

This writ petition has been filed in the nature of Mandamus, seeking a direction to the first respondent herein to issue a direction to the respondent Nos.2 and 3 to give adequate police protection to the petitioner's life and limb based upon the petitioner's representation, dated 11.07.2022.

2.The learned Counsel appearing for the petitioner submitted that the petitioner is having the power deed over the property in S.No.321/1A and 338/1, situated at Karungal Village, Dindigul District. On 16.07.2022, he went to the said property, for removing thrones and to clean the land. At that time, the respondents 4 and 5 and other persons illegally trespassed into his property and threatened him with dire consequences. Hence the petitioner lodged a complaint, for which, CSR.No.309 of 2022 was assigned. But, till



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now no action has been taken. Hence this petition has been filed.

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3.The learned Government Advocate (Crl.Side) submitted that on receiving the complaint from the petitioner, CSR.No.309 of 2022 was assigned and the respondent police also issued summon to the parties. Both the parties appeared for the enquiry and agreed to work out their remedy before the civil Court. Hence, the enquiry was closed.

4.The learned Counsel appearing for the petitioner submitted that since the respondents 4 and 5 are threatening the petitioner and giving trouble to him, he is ready to give a fresh representation and the same may be considered.

5.I have considered the submissions made by both the parties.

6.On a perusal of records, it is seen that the petitioner is having the power deed over the said property, which was executed by one Rajendran. In this regard, there is a civil dispute between the petitioner and the private respondents.



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7. In view of the above, this Court is of the opinion that if the private respondents involve in criminal activities, with regard to the property, the petitioner is at liberty to approach the police officials and lodge a fresh complaint. If such a fresh complaint is lodged by the petitioner, the police officials shall consider the same and take action, on merit and in accordance with law.

8. With the above directions, this writ petition stands disposed of. No costs.

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Index : Yes / No
Internet : Yes/ No
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V.SIVAGNANAM, J.

lr

To

1. The Superintendent of Police,
Dindigul District, Dindigul.
2. The Inspector of Police,
Eriodu Police Circle,
Dindigul District.
3. The Sub-Inspector of Police,
Kujiliyamparai Police Station,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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