



WP(MD)No.22277 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.09.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.(MD)No.22277 of 2022

Parvathi

... Petitioner

/vs./

1. The Superintendent of Police
Tirunelveli District
2. The Deputy Superintendent of Police
Thalaiyuthu
Tirunelveli District
3. The Inspector of Police
Devarkulam Police Station
Tenkasi District
4. The Revenue Divisional Officer
Collectorate Campus
Tirunelveli District
5. M.Maruthathal
6. M.Dharmaraj
7. M.Selvi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for
issuance of Writ of Mandamus, directing the Respondents 1 to 3 to take action on



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the representation of the Petitioner dated 08.09.2022 seeking to grant police protection to the Petitioner's life and limb and to prevent the Respondents 5 to 7 from fencing the Petitioner's property of 2 acres and 40 cents in Survey No. 160/3 situated in Kalugumalai Village, Manur Taluk, Tirunelveli District .

For Petitioner : Mr.M.Kumar
For R1 to R3 : Mr.R.Sivakumar
Government Advocate(Crl.Side)
For R -4 : Mrs. K.Christy Theboral
Additional Government Pleader.

ORDER

The Petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the Respondents 1 to 3 to take action on the representation of the Petitioner dated 08.09.2022 seeking to grant police protection to the Petitioner's life and limb and to prevent the Respondents 5 to 7 from fencing the Petitioner's property of 2 acres and 40 cents in Survey No. 160/3 situated in Kalugumalai Village, Manur Taluk, Tirunelveli District .

2. The learned Counsel for the Petitioner submits that the Petitioner's husband and her brother purchased a property in the year 1990. The husband of



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the fifth Respondent filed a suit in O.S.No. 103 of 2015 on the file of the District Munsif Court, Sankarankovil to declare the sale deed in favour of the Petitioner's husband and her brother as null and void. The Petitioner had resisted the suit. In the meanwhile they were set exparte. In the light of the exparte decree the Respondents 5 to 7 had approached this Court by filing Writ Petition without impleading the Petitioner herein who is in enjoyment of the property and obtained an order. The Respondents 5 to 7 are fencing the property belonging to the Petitioner herein. Therefore the Petitioner had moved this Court by filing Writ Petition seeking direction against the Respondents 5 to 7.

3. When the suit is pending before the Principal District Munsif Court, Sankarankovil, the Petitioner having filed petition to set exparte order the Respondents 1 to 4 are directed not to cause harassment, not to interfere in the peaceful possession and enjoyment of the property till the subject matter of the suit is agitated and reaches its finality.



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SATHI KUMAR SUKUMARA KURUP, J.

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