



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 02.02.2022

CORAM

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

W.P. (MD)No.14838 of 2018

WEB COPY

Kamuthi, S/o.Chinna Vellaimooper ... Petitioner

Vs.

1.The Superintendent of Police,
Theni District.

2.The Inspector of Police,
Rajadhani Police Station,
Andipatti Taluk,
Theni District.

3.Thangakodi, S/o.Rajappan

4.Thangapandi, S/o.Thangakodi

5.Pandiaraj, S/o.Thangakodi

6.M.G.R. @ Manikandan, S/o.Sathamoper ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to consider the petitioner's representation dated 05.07.2018, thereby, directing him to provide Police protection to the petitioner's life and limb and his family from the continuous life threat given by the respondents 3 to 6.

For Petitioner : Mr.V.Sankaranarayanan
For R1 & R2 : Mr.S.Ravi
Additional Public Prosecutor
For R3 to R6 : Mr.R.Sivachandran

ORDER

This Writ Petition is filed seeking Police protection alleging that four named persons have trespassed into the land of the petitioner and damaged the boundary stones and abused the petitioner in filthy language and attempted to murder him. The said complaint dated 05.07.2018, sent through Registered Post to the second respondent, sought to be acted upon.

2.The learned Additional Public Prosecutor states that the petitioner and the respondents 3 to 6 have a property dispute and civil suit is pending and the representation given by the petitioner was enquired and found to be false.



3.The learned counsel for the respondents 3 to 6 states that the Civil Suit in O.S.No.24 of 2019, on the file of Judicial Magistrate cum District Munsif, Andipatti, ended in favour of the respondents 3 to 6 and in order to grab the property, which belongs to the respondents 3 to 6, a false complaint has been lodged by the petitioner before the respondent Police as if there is a life threat to him.

4.A counter affidavit filed by the second respondent, viz., the Inspector of Police attached to the Rajadhani Police Station, indicates that based on the representation given by the petitioner, the parties were summoned for enquiry on 18.07.2018 and found that the dispute is civil in nature and directed the parties to approach the competent civil forum to settle the title dispute and thereafter, the complaint of the petitioner was closed.

5.In the light of the above facts brought out in the counter affidavit filed by the second respondent and the oral submissions made by the learned counsel for the respondents 3 to 6, this Court is of the view that the Writ Petition deserves to be dismissed as devoid of merits. Accordingly, it is dismissed. No costs.

Sd/-

Assistant Registrar (CS-II)

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Sub Assistant Registrar(CS)

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To

- 1.The Superintendent of Police,
Theni District.
- 2.The Inspector of Police,
Rajadhani Police Station,
Andipatti Taluk,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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