



WEB COPY



Writ Petition No.2772 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.2772 of 2022

S.Makesh

S/o.P.Subramaniam

...Petitioner

Vs

1.The Commissioner of Police,
Tiruppur, Tiruppur District.

2.The State represented by its
The Inspector of Police,
Nallur Rural Police Station,
Tiruppur District.

3.Arulmigu Perumpanai Varatharaja Perumal Temple,
represented by its The Executive Officer,
Kovil Vazhi, Muthanampalayam Village,
Tiruppur South Taluk,
Tiruppur District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing respondents 1 and 2 to grant sufficient police protection to the petitioner for doing necessary repair/safety works in the well and cleaning his land comprised in S.No.50/2 situated at Muthanampalayam Village, Tiruppur District by considering his representation dated 04.12.2021.



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For Petitioner : Mr.K.Myilsamy
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1 & R2]

ORDER

This writ petition has been filed seeking for a direction to respondents 1 and 2 to grant police protection to the petitioner based on the representation made by him on 04.12.2021.

2. Heard Mr.K.Myilsamy, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondents 1 and 2.

3. Learned Additional Public Prosecutor submitted that there was an objection on the part of the third respondent and there is a dispute between the petitioner and the third respondent and hence, the respondent police took a decision not to interfere in this matter.

4. In the considered view of this Court, if the third respondent is preventing the petitioner from carrying out the repair work in the Well,



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which is situated in his property, the petitioner has to necessarily approach the civil Court and work out his remedy and the police will have nothing to do with a case of this nature. Except giving this clarity, no further orders can be passed in this writ petition.

Accordingly, this Writ Petition is closed. No costs.

05.07.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm

To

- 1.The Commissioner of Police,
Tiruppur, Tiruppur District.
- 2.The State represented by its
The Inspector of Police,
Nallur Rural Police Station,
Tiruppur District.
- 3.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

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