



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.23989 of 2023

Mr.Elumalai

... Petitioner

Vs.

1) The Superintendent of Police,
Thiruvannamalai District.

2) State rep. by
The Inspector of Police,
Polur Police Station,
Thiruvannamalai District.

3) Sundarammal

4) Subramani

5) Parthiban

6) Pichandi

7) Raman

8) Lakshmanan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the 1st and 2nd Respondents to provide Police protection to reach the burial ground on the happenings of death in the said village without any disturbance and interference of the other respondents.



For Petitioner : G.Peranban

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor
for R1 & R2

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 1st and 2nd respondents to provide police protection in order to enable the people in the village to reach the burial ground without any hindrance.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the 1st and 2nd respondents.

3.This Court has carefully considered the submissions made on either side and also the materials available on record.

4.It is seen from records that the path way through which the petitioner is seeking to reach the burial ground is a private patta land. Already a civil suit is pending in this regard. That apart the materials placed before this court by the learned Additional Public Prosecutor shows that this dispute has been going on for



several years together and the Revenue Divisional Officer in order to avoid any law and order problem had also passed an order in the year 2008 in this regard. In view of the same, there is no scope for giving a direction to the police to give police protection and the parties will have to necessarily agitate their rights only before the competent Civil Court and workout their remedy. Except giving this clarity, no further orders can be passed in this writ petition.

5. Accordingly, this writ petition is disposed of in the above terms. No Costs.

23.08.2023

Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking Order
ssr

To

- 1) The Superintendent of Police,
Thiruvannamalai District.
- 2) The Inspector of Police,
Polur Police Station,
Thiruvannamalai District.



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N.ANAND VENKATESH, J

SSI

3. The Public Prosecutor,
High Court, Madras.

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