



WEB COPY



Writ Petition No.21999 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.21999 of 2023

Raja Chakravarthy
S/o.Venkatrajan

...Petitioner

Vs

1.The Deputy Superintendent of Police,
Palladam, Tiruppur District.

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

3.Venkatrajan Senthil
S/o.Venkatrajan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents 1 and 2 to grant sufficient police protection to the petitioner for fencing his property comprised in S.No.441 situated at Ukaniyur Village, Palladam Taluk, Tiruppur District, by considering his representation dated 26.06.2023.

For Petitioner : Mr.K.Myilsamy

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

ORDER



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WEB COM This writ petition has been filed for issuance of a writ of mandamus directing the respondents 1 and 2 to grant police protection to the petitioner for fencing his property.

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

3. The specific case of the petitioner is that he is the absolute owner of the subject property and that by virtue of the registered release deed dated 16.02.2023, the brothers and sisters have relinquished their right in favour of one of the brother Raja Chakravarthy, who is the petitioner herein. In spite of the same, the third respondent is interfering when the petitioner was attempting to fence the property. The complaint that was given to the respondent police on 26.06.2023 did not yield any result.

4. In a case of this nature, the police should not be allowed to interfere. The petitioner can always go before the competent civil Court and seek for an injunction against the third respondent. Based on the orders



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passed by the civil Court, the petitioner can work out his remedy.

Considering the fact that the issue on hand is a civil dispute, this Court is not inclined to grant the relief as sought for by the petitioner except giving liberty to the petitioner to approach the civil Court.

This Writ Petition is disposed of in the above terms. No costs.

26.07.2023

Index : Yes/No

Speaking order: Yes/No

Neutral citation: Yes/No

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To

1. The Deputy Superintendent of Police,
Palladam, Tiruppur District.

2. The Inspector of Police,
Avinashipalayam Police Station,
Tiruppur District.

3. The Public Prosecutor,
High Court, Madras.

N.ANAND VENKATESH, J



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