



W.P(MD)No.8195 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.8195 of 2023

and

W.M.P(MD).No.7560 of 2023

P.M.Abdul Kadhar Mohideen

... Petitioner

Vs.

1.The Superintendent of Police,
Tenkasi District,
Tenkasi.

2.The Inspector of Police,
Sankarankovil Town Police Station,
Sankarankovil,
Tenkasi District.

3.Shia @ Mohamathu Sali

4.Yazar @ Raghmathulla

5.Jalalutheen

6.Ibrahim

7.Ibrahim

... Respondents



W.P(MD)No.8195 of 2023

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to provide the police protection to this petitioner and his mother in the enjoyment of a vacant house side in ward no.17, in Quide Milath 5th street in a site of 1155 square feet in S.No.343D, in Sankarankovil Town in Tenkasi District for which already the civil cases were adjudicated.

For Petitioner	: Mr.F.X.Eugene
For R1 and R2	: Mr.B.Nambiselvan Additional Public Prosecutor
For R3 to R7	: No appearance

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to provide the police protection to this petitioner and his mother in the enjoyment of a vacant house side in ward No.17, in Quide Milath 5th street in a site of 1155 square feet in S.No.343D, in Sankarankovil Town in Tenkasi District for which already the civil cases were adjudicated.

2. The learned counsel for the petitioner submitted that the petitioner and the private respondents are close relatives. The petitioner's grandfather, namely, one Abdul Kadhar Mohideen has executed a gift



W.P(MD)No.8195 of 2023

deed in favour of the petitioner. Thereafter, a suit in O.S.No.404 of 2004 was filed by one Mymoon Beevi, which ended in failure and against the said dismissal, again she preferred A.S.No.39 of 2006 and the same was also dismissed. Challenging the same, S.L.P. was also preferred and the same was also dismissed. Even thereafter, the private respondents made continuous trouble to the petitioner. Therefore, the petitioner made a complaint by way of representation to the respondent police seeking protection and the same was not considered so far. Hence, the present petition has been filed.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner's complaint was forwarded to the ALG, Tenkasi. Since the civil process ended in favour of the petitioner, therefore, the further action has been dropped in the petitioner's complaint.

4. In view of the specific and particular request made by the petitioner only with regard to granting of police protection, the complaint given by the petitioner by way of representation shall be reopened by the second respondent. The second respondent, after issuing notice to the



W.P(MD)No.8195 of 2023

petitioner as well as the necessary parties shall enquire them and after assessing the ground situation, pass a suitable order. Depending upon the outcome of the enquiry, further action shall be taken either by the second respondent or by the petitioner if so aggrieved. The enquiry will be completed within a period of 7 days from the date of appearance of the parties.

With the above directions, This Writ Petition is disposed of. No Costs. Consequently, the connected miscellaneous petition is closed.

13.06.2023

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
tta

To
1.The Superintendent of Police,
Tenkasi District,
Tenkasi.
2.The Inspector of Police,
Sankarankovil Town Police Station,
Sankarankovil,
Tenkasi District.
3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P(MD)No.8195 of 2023

G.ILANGOVA,N,J

tta

Order made in

W.P(MD)No.8195 of 2023

Dated : 13.06.2023