



**W.P(MD)No.24110 of 2023**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 08.12.2023**

**CORAM :**

**THE HONOURABLE MR.JUSTICE G.ILANGO VAN**

**W.P(MD) No.24110 of 2023**

A.Amuthavalli @ Amutha

... Petitioner

**Vs.**

1.The Superintendent of Police,  
Office of the Superintendent,  
Surveyor Colony,  
K.Pudur,  
Madurai.

2.The Inspector of Police,  
Cholavandan Police Station,  
Cholavandan,  
Madurai – 625 207.

3.Ramya

4.M.Murugaboopathi

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to give police protection for to entering to the premises of petitioner house which is situated in Mannadimangalam village, Vadipatti taluk, Madurai District by considering the representation dated 03.08.2023 within the stipulated time fixed by this Court.



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|                |                                                         |
|----------------|---------------------------------------------------------|
| For Petitioner | :Mr.C.Satheesh Kumar                                    |
| For R1 & R2    | :Mr.M.Sakthi Kumar<br>Government Advocate<br>(Crl.side) |

### **ORDER**

This Writ Petition is filed in the nature of Writ of Mandamus to direct the respondents to give police protection for entering into the premises of petitioner's house which is situated in Mannadimangalam village, Vadipatti taluk, Madurai District by considering the representation dated 03.08.2023 within the stipulated time fixed by this Court.

2. It is an issue between the mother-in-law and the daughter-in-law. The dispute arose between the husband and the third respondent herein. Some sort of matrimonial dispute arose between them and proceedings in D.V.C.No.168 of 2023 is pending on the file of the Additional Mahila Court, Madurai and H.M.O.P.No.159 of 2023 is pending on the file of the learned Sub Judge, Madurai.



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3. It is the allegation on the part of the petitioner that the third respondent broke open the house property which belongs to the petitioner with the help of the fourth respondent and she is now occupying. It is the counter allegation of the third respondent that she was driven out of the matrimonial home. Before the dispute arose between her and her husband, they were residing in the present property. Thereafter, they shifted their residence to various places, due to her husband's job. When they were residing in Bangalore, trouble arose and she came to her parental home. After that only, she went to the matrimonial house. It is the grievance of the petitioner that she was not permitted to enter into the property which is owned by her.

4. No doubt, pending proceedings before the Courts, the third respondent entered into the property by breaking open the lock. If the petitioner wants to prosecute, she can very well pursue the matter before the concerned Court. But for entering into the property which is in the third respondent's occupation with the help of the police is not permissible. The petitioner is at liberty to approach the concerned Court for appropriate orders. There is no question of evicting the third respondent with the help of the police now. I find absolutely, no reason



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to entertain this petition. The representation made by the petitioner making allegation upon the third respondent, that she is prevented by the third respondent from entering into the house, cannot be entertained by this Court by exercising the provisions under Section 482 of Cr.P.C.,

5. With this direction, this Writ Petition is dismissed. No costs.

08.12.2023

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

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To

- 1.The Superintendent of Police, Office of the Superintendent, Surveyor Colony, K.Pudur, Madurai.
- 2.The Inspector of Police, Cholavandan Police Station, Cholavandan, Madurai – 625 207.
- 3.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

**G.ILANGO VAN, J**



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**Order made in**  
**W.P(MD)No.24110 of 2023**

**Dated 08.12.2023**