



WEB COPY



W.P.No.5729 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

CORAM

THE HONOURABLE MR JUSTICE N.ANAND VENKATESH

W.P.No.5729 of 2024

M.Pichaimuthu

.. Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. By its Home Secretary,
Home Department, Saint George Fort,
Secretariat, Chennai 600 009.
2. The Inspector General of Police,
Central Zone, Khajamalai,
Edamdaipattipudur,
Trichy – 620 023.
3. The Deputy Inspector General of Police,
Central Zone, Khajamalai,
Edamadaipattipudur,
Trichy – 620 023/
4. The Superintendent of Police,
Perambalur District Police complex,
Perambalur District, Perambalur.
5. The Deputy Superintendent of Police,
Mangalamedu Police Sub Division,
Deputy Superintendent of Police Complex,



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Mangalamedu, Perambalur district.

6. The Inspector of Police,
Mangalamedu Police Station,
Mangalamedu, Perambalur District.

7. The sub Inspector of Police,
V.Kalathur Police Station, Perambalur District.

8. Mr.Muthusamy

9. Mrs.M.Rekha

10 Mr.M.Kumar

11. Mr.Muthaiah

12. Mrs.Jothy

13. Mrs.Rajathi

14. Mr.Illaiyaraja

15. Mr.G.Dharmalingam

16. Mrs.Kalaiselvi

17. Mr.Kasi

18. Mr.Periyasamy

19. Mrs.Saraswathi

20. Mr.Mammattian alias Natarajan

21. P.Kamaraj

... Respondents



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WEB CO **PRAYER** : Writ Petition filed under Article 226 of the Constitution of India seeking for issuance of a writ of Mandamus directing the respondents 2 to 7 to take further steps or against the respondents 8 to 21 based on the complaint dated 25.12.2023 and to direct the respondents to give necessary protection to the lives and property of the petitioner and his family members.

For Petitioner : Mr.V.S.Ramesh
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondent police to act upon the representation / complaint given by the petitioner on 25.12.2023 and to provide police protection to the petitioner and his property.

2. The learned Additional Public prosecutor on instructions submitted that the complaint given by the petitioner was taken on file in



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CSR No.223 of 2023 and that an enquiry was conducted and closed on 16.12.2023, by directing the parties to approach the competent Civil Court.

3. The learned counsel for the petitioner submitted that the encroachment was made upon a water body and the petitioner was directed to remove the encroachment and at the same time, the rival party was also directed to remove the encroachment made upon the property belonging to the petitioner. When the petitioner requested to remove the encroachment, he was threatened and attacked. The petitioner gave a complaint in this regard to the 7th respondent on 25.12.2023 and to the 6th respondent on 02.01.2024. The complaint did not evoke any response in this case.

4. In the considered view of this Court, the private dispute between the petitioner and the rival parties will have to be worked out before the competent Civil court. If according to the petitioner, the respondent police did not take any steps on the complaint given by the petitioner with respect to the alleged criminal offence committed by the rival parties, it is left open to the petitioner to approach the concerned Court under Section



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156(3) of Cr.PC and seek for the appropriate relief. Except giving this clarity, no further orders are required to be passed in this writ petition.

5. This writ petition is disposed of in the above terms. No costs.

Index : Yes/No
Internet : Yes/No
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N.ANAND VENKATESH, J.

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