



W.P.No.13595 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2024

CORAM

THE HON'BLE Dr.JUSTICE G.JAYACHANDRAN

W.P.No.13595 of 2024

and

W.M.P.No.14745 of 2024

S.Sivagamasundari

... Petitioner

Vs.

1.The Superintendent of Police,
Puducherry

2.The District Registrar,
Puducherry.

3.The Sub Registrar,
Oulgaret Sub Registration Office,
Puducherry.

4.The Inspector of Police,
Dhanvandari Nagar Police Station,
Puducherry.

5.Chokkalingam

6.Valliammal

7.Ganesan

8.Kanagaraj

... Respondents

Prayer:-Writ petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, directing the 4th respondent to provide police protection based on the complaint dated 07.05.2024 in



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respect of the house and land bearing Plot No.69 at Oulgaret Commune, Thattanchavadi village, comprised in Re-Survey No.267/1, 2,3, 4, 5 and 268/1, 2 situate at Sri Vedapureeshwarar Varadharaja Perumal Nagar, Puducherry, measuring an extent of 195.20 square meter.

For Petitioner : Mr.C.Prabakaran

For R1 to R4 : Mr.K.S.Mohandass
Public Prosecutor (Pondy)

For R6 to R8 : Mr.P.Veeraraghavan

ORDER

This Writ Petition is filed seeking police protection.

2. The learned Public Prosecutor (Pondy) appearing for the respondent police states that since the rival claim over the property which is in possession of the petitioner, the Executive Magistrate had initiated proceedings for maintenance of public peace and the same is pending under Section 126 BNSS Act under I.R.No.108 of 2024 dated 24.07.2024. It is also brought to the notice of this Court that a civil suit for declaration instituted by this petitioner in O.S.No.105 of 2024 and others. He further states that the possession of the property is with the petitioner herein. The photograph shown by the petitioner indicates that the blue metals are dumped in front of the property by the 6 to 8



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respondents. If such act constitutes disturbance to public peace, it is always open to the Executive Magistrate to proceed against the parties who cause disturbance to the public peace and tranquillity.

3. In the said circumstances, it is suffice to dispose of the Writ Petition directing the respondent police to ensure that the public peace is not disturbed by the act of any of the party claiming right over the property and also the possession of the petitioner shall not be disturbed in unlawful means. Accordingly, this Writ Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed. No costs.

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rpl

Index: Yes/No

Speaking Order/Non Speaking Order

Neutral Citation : Yes/No

To

1.The Superintendent of Police,
Puducherry

2.The District Registrar,
Puducherry.



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3.The Sub Registrar,
Oulgaret Sub Registration Office,
Puducherry.

4.The Inspector of Police,
Dhanvandari Nagar Police Station,
Puducherry.

5.The Public Prosecutor,
High Court of Madras,
Chennai

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