



W.P.No.15127 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.15127 of 2024
& W.M.P.Nos.16434 & 16435 of 2024

1. P.Shanmugam.
2. P.Kumar.

... Petitioners

/versus/

1. Union Territory of Puducherry.
Government of Puducherry.
The Secretary,
Puducherry.

2. The Inspector of Police,
Thirubuvanai Police Station,
Puducherry.

3. Samraj.
4. Rajaram.
5. Kamalam.
6. Dhanasekaran.
7. Vijaya.
8. Gowri.
9. Gopal.
10. Savithiri.

... Respondents

Prayer: Writ Petition has been filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to give adequate Police Protection to the petitioner's property situate in Re-Survey No.10/6 to an extent of 52 Kuzhis in Madagadipet Village, Mannadipatti Commune,



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Pondicherry enabling the petitioners to fence their property and pass orders.

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For Petitioner : Mr.D.Ravichander
For R1 & R2 : Mr.K.S.Mohan Dass,
Public Prosecutor (Pondy)
For R4, R7 to R10 : Mr.A.Raj Prince,
for Mr.R.Thiyagarajan

ORDER

This Writ Petition is filed seeking police protection to fence the property as per the Civil Court decree.

2. The Learned Public Prosecutor (Puducherry) for the respondents 1 & 2 states that in O.S.No.796 of 1993 on the file of III Additional District Munsif, Pondicherry, decree, declaration and permanent injunction was granted *vide* judgment dated 03.10.2005 on an application instituted by Navaneethan, Samraj, Rajaram. The said decree was set aside by the First Appellate Court in A.S.No.75 of 2005 dated 01.03.2017. The successful appellants in the said appeal suit are the petitioners in the above Writ Petition seeking police protection.



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3. The representation of the petitioners seeking police protection for fencing the land was considered by the respondents police and found that though the title stands in the name of the petitioners, they are not in a possession of the property and further, it is stated by the respondents that they have preferred Second Appeal against the judgment passed by the First Appellate Court. Therefore, being a civil dispute in nature, the petitioners are directed to approach the Civil Court and get order for Police Protection.

4. Recording the said statement of the Public Prosecutor, this Writ Petition is disposed of directing the petitioner herein to work out his remedy before the Civil Court and get redressal. No costs. Consequently, connected Miscellaneous Petitions are closed.

07.08.2024

Index : Yes/No.

Neutral Citation : Yes/No.

bsm

To:-

1. The Secretary, Union Territory of Puducherry.

Government of Puducherry. Puducherry.

2. The Inspector of Police, Thirubuvana Police Station, Puducherry.

3. The Public Prosecutor (Puducherry), High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

bsm

W.P.No.22547 of 2024

06.08.2024