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W.P.No.15442 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:08.07.2024

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

W.P.No.15442 of 2024

R.Saravanan

.. Petitioner

/versus/

1.The Superintendent of Police,
O/o Superintendent of Police,
Cuddalore District.

2.The Deputy Superintendent of Police,
O/o Deputy Superintendent of Police,
Thittakudi Range, Cuddalore District.

3.The Inspector of Police,
Ramanathan Police Station,
Cuddalore District.

4.Mr.Jalaudeen

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the respondents 1 to 3 to give appropriate Police Protection for cultivation of the property in bearing S.No.190/4B, 190/3B1 situated at Korakavadi Village, Thittakudi Taluk, Cuddalore District in pursuant to his representation dated 29.04.2024.



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For Petitioner :Mr.P.Muthamizh Selvakumar
For R1 to R3 :Mr.S.Udaya Kumar
Govt.Advocate (Crl.Side)
For R4 :Mr.Dharani

ORDER

The petitioner herein has a dispute with the neighbouring land owner regarding boundary. Already, he has initiated a suit in O.S.No.112 of 2022 for injunction and an exparte interim order was granted in his favour. Based on the exparte interim order, the petitioner is now before this Court seeking police protection to cultivate the land.

2. The 4th respondent submitted that the disputed portion of the land belongs to his son and he is in possession. By not impleading his son as a party, an interim order was obtained. On the strength of the interim order, the petitioner wants to fence his land.

3. This Court finds that a civil dispute has been escalated to the High Court level to get summary orders without proper scrutiny of documents. If the petitioner is aggrieved by any act of encroachment or



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disturbance to his peaceful possession, he should agitate his cause before the Civil Court, where the civil suit is pending and the relief sought for in this petition can also be sought before the Civil Court. That Court after affording opportunity to all the parties concerned and after inquiry, will pass appropriate orders.

4. With the above observations, this Writ Petition is disposed of. No costs.

08.07.2024

Index:yes/no

Neutral Citation:yes/no

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To:

- 1.The Superintendent of Police, O/o Superintendent of Police, Cuddalore District.
- 2.The Deputy Superintendent of Police, O/o Deputy Superintendent of Police, Thittakudi Range, Cuddalore District.
- 3.The Inspector of Police,Ramanathan Police Station, Cuddalore District.
- 4.The Public Prosecutor, High Court, Madras.

DR.G.JAYACHANDRAN,J.



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