



W.P.No.26151 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.26151 of 2024

K.Annamalai

... Petitioner

Vs.

1. The Superintendent of Police,
Salem District.

2. The Inspector of Police,
Athur Police Station,
Salem District.

3. Kathavarayan

4. Ravi

5. Kaalidhas

6. Dhevaraj

7. Murugan

8. Venkatesan

9. Annamalai

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 and 2 police to give adequate police protection to the petitioner's life and property situated in Survey Nos 90/6 to an extent of 0.54 cents, 90/8 to an extent of 0.46 cents, 90/10 to an extent of 0.26 cents, 90/11 to an extent of 0.11 cents, 90/12 to an extent of 0.78 cents, 91/13 to an extent of 0.21 cents totally to an extent of 2.36 cents situated at Thandavarayapuram Village Athur Taluk Salem District by considering the petitioner's representation dated 23.07.2024.

For Petitioner : Mr.B.Sundarapandiyan
For R1 & R2 : Mr.S.Sugendran
Additional Public Prosecutor
For R3 to R9 : Mr.S.Aswin Karthikeyan

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus, to direct the respondents 1 and 2 to give adequate police protection to the petitioner's life and property situated in Survey Nos 90/6 to an extent of 0.54 cents, 90/8 to an extent of 0.46 cents, 90/10 to an extent of 0.26 cents, 90/11 to an extent of 0.11 cents, 90/12 to an extent of 0.78 cents, 91/13 to an extent of 0.21 cents totally to an extent of 2.36 cents situated at Thandavarayapuram Village Athur Taluk Salem District by considering the petitioner's representation dated 23.07.2024.



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2. Heard the learned counsel appearing for the petitioner, the learned Additional Public Prosecutor appearing for the official respondents and the learned counsel for the private respondents and perused the materials available on record.

3. It is submitted by the learned counsel for the petitioner that due to previous enmity, the private respondents threatened the petitioner with dire consequences and attacked him, due to which, he sustained blood injury. Hence, the petitioner has filed a complaint against the private respondents before the second respondent police herein and the same has been acknowledged by the official respondent in CSR No.126 of 2024 and no action has been taken by the second respondent so far. Hence he filed the present writ petition.

4. On a perusal of the complaint/representation made by the petitioner before the respondent police, it seen that no allegations/averments were made by the petitioner regarding physical assault by the private respondents. Further on a perusal of the affidavit



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filed in support of the petition, it is seen that the dispute between the private parties is civil in nature. The Writ Court cannot conduct a roving enquiry and find out the correctness of the right and interest over the property. Hence, the Writ Petition is not maintainable.

5. In view of the above, the Writ Petition is dismissed. However, the petitioner is at liberty to workout his remedy before the competent forum, in the manner known to law. There shall be no order as to costs.

04.11.2024

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The Superintendent of Police,
Salem District.
2. The Inspector of Police,
Athur Police Station,
Salem District.
3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J.

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