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W.P.No.27144 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2024

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.27144 of 2024

Sennammal

... Petitioner

Vs.

1. The Superintendent of Police,
Tirupattur District – 635852.

2. The State Rep. By its
The Inspector of Police,
Natrampalli Police Station,
Tirupattur District.

3. Manjinathan

4. M.Gemini

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the first and second respondents to give police protection to the petitioner based on the petitioner's complaint dated 25.07.2024 pending in C.S.R.No.353 of 2024 and consequently, complete the investigation and take immediate effective action against 4th respondent and his men on towards the petitioner's complaint.

For Petitioner : Mr.S.Praveennath

For Respondents : Mr.S.Vinoth Kumar
Govt. Advocate (Crl.Side) for RR1 & 2



W.P.No.27144 of 2024

ORDER

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This petition has been filed seeking direction to the first and second respondents to give police protection to the petitioner based on the petitioner's complaint dated 25.07.2024 pending in C.S.R.No.353 of 2024 and consequently, complete the investigation on the same.

2 The learned counsel for the petitioner submitted that the petitioner is a 80% physically challenged woman, who is 57 years old. She owned land, which is her ancestral property and is cultivating on the same. The fourth respondent trespassed into the property of the petitioner and attacked her. Therefore the petitioner filed complaint on 25.07.2024, which is pending in C.S.R.No.353 of 2024. In the mean time the fourth respondent threatened the petitioner to vacate her property and started constructing fence. Therefore, the petitioner sought for police protection.

3 Learned Government Advocate (Crl.Side) for the respondents 1 and 2 submitted that summon was issued and enquiry also conducted, which reveal that there is civil dispute between the parties.

4 Heard the learned counsel on either side and perused the materials available on record.



W.P.No.27144 of 2024

5 A careful reading of the materials shows that there is civil dispute over the subject property. The petitioner has also admitted that a civil suit is pending in O.S.No.113 of 2018 before the learned Principal district Munsiff Court, Thirupattur, for partition, wherein the fourth respondent herein is also a party.

6 Therefore this Court is not inclined to pass any orders in this writ petition. However, the petitioner is at liberty to workout her remedy in the manner known to law. Further the respondent police is directed to register the case in C.S.R.No.353 of 2024 and conduct investigation and file final report as early as possible.

7 With the above directions, this writ petition stands disposed of.

05.11.2024

Speaking Order/Non Speaking Order

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To

1. The Superintendent of Police,
Tirupattur District – 635852.
2. The Inspector of Police,
Natrampalli Police Station, Tirupattur District.



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P.VELMURUGAN, J.,

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W.P.No.27144 of 2024

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