



W.P.No.29617 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.29617 of 2024

P.Madhavan

... Petitioner

versus

The Inspector of Police,
T-9, Maraimalar Nagar Police Station,
Guduvancheri Range,
Tambaram Greater Police.

... Respondent

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to dispose the representation dated 13.09.2024 and further direct him to provide police protection to the building and land in plot No.90, comprised in S.No.388 (part) of Ninnakarai Village, HIG, Pavendhar Street, Maraimalar Nagar, Chengalpattu District.

For Petitioner	:	Mr.R.Ravichandran
For Respondent	:	Mr.S.Vinoth Kumar Government Advocate (Criminal Side)



W.P.No.29617 of 2024

ORDER

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The petitioner is the owner of a building at Plot No.90, Survey No.388, Ninnakarai Village, Maraimalai Nagar, which was leased to TASMALC Ltd. for a TASMALC shop (No.4381) on 04.09.2024, following the required inspections and approvals. After the shop opened, some unknown persons created disturbances and threatened the petitioner's property. Despite informing the authorities, no action has been taken. Hence, the petitioner submitted a representation on 13.09.2024 requesting police protection for the building; however, the same has not been considered to date. Therefore, this writ petition.

2.The learned Government Advocate (Criminal Side), on instructions, submits that the petitioner has leased out the premises to TASMALC Ltd. for the operation of a TASMALC shop (No. 4381). It is further submitted that the petitioner is not residing in the said premises, as the property has been leased out and the petitioner has no direct involvement in the day-to-day operations or the management of the shop.

3. Since the petitioner has leased the premises to TASMALC Ltd. for the operation of TASMALC shop No.4381, and the building is now under the occupation of TASMALC, which is running the business, the necessity for police



W.P.No.29617 of 2024

protection, as requested by the petitioner, is not substantiated. By leasing the property, the petitioner has transferred possession and control to TASMAL and, as such, no longer retains direct involvement in the premises. Consequently, the responsibility for managing any disturbances or threats to the property rests with the occupant, i.e., TASMAL Ltd. Therefore, there is no legal basis for the petitioner to seek police protection in a situation where the property is under the occupation of a third party. Given these circumstances, the writ petition seeking police protection is not maintainable and is, accordingly, dismissed.

06.11.2024

Index: Yes/No
Speaking Order : Yes/No
Neutral Citation Case : Yes/No

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W.P.No.29617 of 2024

P.VELMURUGAN, J.

r n s

To

The Inspector of Police,
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Guduvancheri Range,
Tambaram Greater Police.

W.P.No.29617 of 2024

06.11.2024

Pg.Nos.4/4