



W.P.No.31135 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.31135 of 2024

Resilient Agencies Private Limited,
Represented by its Authorized Representative,
Mr.Sandeep, S/o.Santhosh,
Plot No.1471, H Block, 21st Street,
Anna Nagar West,
Chennai - 600 040.

... Petitioner

versus

1.The Superintendent of Police,
Sathuvachari, Vellore,
Tamil Nadu - 632 012.

2.The Village Administrative Officer,
Poyyappakkam Village, Arakkonam Taluk,
Vellore District, Tamil Nadu.

3.Y.Rubandass

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondent No.1 to provide police protection to the petitioner to take possession of the property measuring an extent of 2 acres and 50 cents, comprised in Survey No.19/1A2 part of Poyyappakkam Village, Arakkonam Taluk, Vellore District, bearing patta No.106, or any other order, directing the respondent No.2 to mark the boundaries of the property to enable the petitioner to take possession of the same.

Pg.Nos.1/4



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W.P.No.31135 of 2024

For Petitioner : Ms.Ramya Subramaniam
For Respondents : Mr.S.Vinoth Kumar
Government Advocate (Criminal Side)
for R1 and R2

No appearance for R3

ORDER

The petitioner, Resilient Agencies Private Limited, is the lawful owner of 2 acres and 50 cents in Poyyappakkam village, Vellore District, acquired through a public auction on 14.08.2022, in Application No.482 of 2020 in C.S.(Comm)No.667 of 2018 and the sale certificate was also issued in favour of the petitioner on 20.12.2023. Despite being the rightful owner, the petitioner is unable to take possession due to unlawful interference by the former owner, viz., the third respondent. The petitioner has repeatedly requested the Village Administrative Officer/second respondent to demarcate the property boundaries, but these requests have been ignored. Further, the third respondent has obstructed the petitioner's possession and continues to exert threats and undue influence. Hence, the petitioner has filed this writ petition seeking police protection from the first respondent to take possession of the property measuring an extent of 2 acres and 50 cents, comprised in Survey No.19/1A2 part of Poyyappakkam Village, Arakkonam Taluk, Vellore District, bearing patta No.106, or any other order, directing the respondent No.2 to mark the

Pg.Nos.2/4



W.P.No.31135 of 2024

boundaries of the property to enable the petitioner to take possession of the same.

2.While the petitioner claims lawful ownership of 2 acres and 50 cents of land, having acquired the property through a public auction and obtained a sale certificate, the issue at hand pertains to possession and boundary demarcation. Such matters are fundamentally civil in nature, involving disputed ownership and trespass. Since such matters fall within the domain of civil law, including issues of ownership, possession, and trespass, it is not appropriate for this Court to intervene under Article 226 of the Constitution. The petitioner is, therefore, directed to seek a remedy through the proper civil proceedings, which are the appropriate legal avenue for the resolution of property disputes. As the matter does not invoke extraordinary circumstances warranting the intervention of this Court, the writ petition is dismissed.

12.11.2024

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

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Pg.Nos.3/4



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To

- 1.The Superintendent of Police,
Sathuvachari, Vellore,
Tamil Nadu - 632 012.
- 2.The Village Administrative Officer,
Poyyappakkam Village, Arakkonam Taluk,
Vellore District, Tamil Nadu.



W.P.No.31135 of 2024

P.VELMURUGAN, J.

r n s

W.P.No.31135 of 2024

12.11.2024

Pg.Nos.4/4