



W.P(MD)No.6504 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.6504 of 2024

Rajendran

: Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District, Nagercoil.

2.The Inspector of Police,
Karunkal Police Station,
Kanyakumari District.

3.Premkumar

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to provide adequate police protection to the petitioner's life and limb in respect of the property in S.No.261/8 situated at Thiparamalai Desom, Pallor Village, Vilavancode Taluk, Karunkal Sub Division, Marthandam, Kanyakumari District, by considering the petitioner's representation, dated 10.10.2023.

For Petitioner : Mr.N.Balasubramanian

For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor,
for R1 & R2.



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W.P(MD)No.6504 of 2024

: Mr.V.Sasikumar, for R3.

ORDER

This Writ Petition has been filed seeking a Writ of Mandamus, directing the respondents 1 and 2 to provide adequate police protection to the petitioner's life and limb in respect of the property in S.No.261/8 situated at Thiparamalai Desom, Pallor Village, Vilavancode Taluk, Karunkal Sub Division, Marthandam, Kanyakumari District, by considering the petitioner's representation, dated 10.10.2023.

2.The learned counsel for the petitioner would submit that the petitioner's father and the third respondent's father have entered into a sale agreement; that since the third respondent's father has not complied with the agreement, the petitioner's father has filed a suit for specific performance in O.S.No.1 of 2008 on the file of the learned Principal District Munsif, Kulithurai, Kanyakumari and the ex-parte decree came to be passed; that the petitioner's father has filed an execution petition and the sale deed was executed and registered through the Court and that since they have not handed over the possession, he has filed an application before the Executing Court for taking delivery and the Court property was taken delivery by the petitioner's father and that after the



W.P(MD)No.6504 of 2024

death of the petitioner's father as well as the third respondent's father, the third respondent has been attempting to interfere with the petitioner's possession.

3. Heard the learned counsel for the petitioner, learned Additional Public Prosecutor appearing for the State and also the learned counsel for the third respondent.

4. Considering the submissions made by the learned counsel on either side, the second respondent is directed to issue notice to the petitioner and to the private respondent, conduct enquiry and pass orders by taking note of the decree and delivery taken by the petitioner's father through the Court, within a period of two weeks from the date of receipt of a copy of this order.

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

No costs.

05.09.2024

NCC : Yes/ No
Index : Yes/No
Internet : Yes/ No
das



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W.P(MD)No.6504 of 2024

K.MURALI SHANKAR, J

das

To

- 1.The Superintendent of Police,
Kanyakumari District, Nagercoil.
- 2.The Inspector of Police,
Karunkal Police Station,
Kanyakumari District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
W.P(MD)No.6504 of 2024

05.09.2024