



W.P.(MD). No. 18136 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.11.2024

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD). No. 18136 of 2023

J.Muthukumar

... Petitioner

Vs.

1. The Superintendent of Police,
Thoothukudi,
Thoothukudi District.
2. The Deputy Superintendent of Police,
Kovilpatti,
Thoothukudi District.
3. The Inspector of Police,
West Police Station,
Kovilpatti,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to construct building in Survey No. 585/3B1A & 585/3A1B total extend 19.45 cents situated at Pandavarmangalam Village, Kovilpatti, Thoothukudi District and to act on the petitioner's representation dated 25.05.2023.



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For Petitioner : Mr.C.Suresh Kannan

For Respondents : Mr.B.Thanga Aravindh,
Government Advocate
(Crl. Side)

ORDER

This Writ Petition has been filed for the issue of writ of mandamus directing the respondent police to grant police protection to the petitioner in order to construct building in his subject property.

2. The learned Government Advocate (Criminal side), on instructions, submitted that the representation / complaint given by the petitioner was enquired in C.S.R. No. 558 of 2023 and it was closed by directing the parties to work out their remedy before the competent Court.

3. In the considered view of this Court, if any one interferes with the possession and enjoyment of the property belonging to the petitioner, the petitioner has to seek for appropriate remedy before the competent civil court. The petitioner cannot straightway go to the police and seek for police protection. This is more so, where the rival parties were also



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claiming some right over the property, and such property right cannot be decided by the police. Therefore, the petitioner has to necessarily work out his remedy before the civil court. Except giving this liberty, no further orders can be passed in this writ petition.

4. This writ petition is disposed of in the above terms.

08.11.2024

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

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To

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Thoothukudi District.
2. The Deputy Superintendent of Police,
Kovilpatti,
Thoothukudi District.
3. The Inspector of Police,
West Police Station,
Kovilpatti,
Thoothukudi District.

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N.ANAND VENKATESH,J.

pal

Order made in
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