



W.P.(MD). No. 18198 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 08.11.2024

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THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD). No. 18198 of 2023

P.Venkatachalapathy

... Petitioner

Vs.

1. The Commissioner of Police,
Office of the Commissioner of Police,
Madurai City,
Madurai.

2. The Assistant Commissioner of Police,
Anna Nagar Range,
Madurai City,
Madurai.

3. The Inspector of Police,
Anna Nagar Police Station,
Madurai City,
Madurai.

4. Elakkuvan
(R4-impleaded vide court order
in W.M.P.(MD). No. 15866 of 2023
dated 08.11.2024)

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st to 3rd respondents to



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provide adequate police protection to demolish the dilapidated house bearing Door No. 2/665, Plot No. 47, Gomathipuram 6th Street, Melamadai Village, Madurai based on the representation submitted by the petitioner dated 05.07.2023.

For Petitioner	:	M/s.S.C.Herold Singh
For R1 to R3	:	Mr.B.Thanga Aravindh, Government Advocate (Crl. Side)
For R4	:	Mr.R.Karunanidhi

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondent police to consider the representation made by the petitioner on 05.07.2023 and to afford police protection to the petitioner to demolish the dilapidated building.

2. When the matter was taken up for hearing, the learned Government Advocate (Criminal Side), on instructions, submitted that the complaint was enquired and it was closed since it is involved a civil dispute.



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3. In the instant case, there is a rival claim made by one Elakkuvan/the 4th respondent over the same property. Under such circumstances, the petitioner has to necessarily seek for the appropriate remedy only before the competent civil court. The police cannot decide property rights. Except giving this liberty, no further orders can be passed in this writ petition.

4. This writ petition is disposed of accordingly.

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

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2. The Assistant Commissioner of Police,
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Madurai City,
Madurai.
3. The Inspector of Police,
Anna Nagar Police Station,
Madurai City,
Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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N.ANAND VENKATESH,J.

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Order made in
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