



W.P.(MD)No.20038 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:11.11.2024

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.20038 of 2023

P.Padma

... Petitioner

Vs.

1.The Commissioner of Police,
Trichy City.

2.The Inspector of Police,
Sessions Court Police Station,
Trichy City.

3.M.Aamila Sulthana Reeth Ahamed

4.Mohammed Farook

5.Syed Muneer Ahmed
(R5 is impleaded vide Court order
dated 04.12.2023 in WMP (MD) No.
17262 of 2023)

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st and 2nd respondents to provide adequate police protection for the petitioners and their family members life and limb and for entering into their house by considering the petitioner representation dated 07.08.2023.

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For Petitioner : Mr.A.Robinson
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)
for R1 & R2

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the first and second respondents to provide police protection to the petitioner since the petitioner and his family members apprehend interference in the hands of the landlord, who is the fifth respondent in the writ petition.

2.The learned counsel for the petitioner submitted that the petitioner is in possession of the property in her capacity as a tenant. However, there is a potential threat for the petitioner and her family members from being evicted from the property forcibly. Already such an attempt was made by the landlord earlier for which a complaint was given to the police seeking for police protection. The learned counsel further submitted that a suit has already been filed before the competent civil Court and the same is pending.



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3.In the considered view of this Court, if a lessee is in possession of the property and the landlord seeks to evict the tenant, it should be done in accordance with law. In those cases, the police can never come into the picture unless it results in some law and order problem. Therefore, it is left open to the petitioner and the private respondents to work out their remedy before the competent civil Court.

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

11.11.2024

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

To

- 1.The Commissioner of Police,
Trichy City.
- 2.The Inspector of Police,
Sessions Court Police Station,
Trichy City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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N.ANAND VENKATESH,J.

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