



W.P.(MD)No.22768 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.22768 of 2024

C.Mohan

...Petitioner

Vs.

1.The Superintendent of Police,
Trichy District,
Trichy.

2.The Inspector of Police,
Kollidam Police Station,
Trichy District.

3.Manoharan

4.Sathishkumar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to provide adequate police protection to the petitioner to construct a partition wall on the northern side of his property comprised in Survey No.219/1 situated at Nerkuppai Village, Nochiyam Post, Manachanallur Taluk, Trichy District pursuant to the Judgment and decree passed by this Court in S.A.(MD).No.223 of 2011 dated 27.06.2011.



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For Petitioner : Mr.T.Leninkumar

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

ORDER

The Writ Petition has been filed seeking orders to direct the second respondent to provide adequate police protection to the writ petitioner to construct a partition wall on the northern side of his property comprised in Survey No.219/1 situated at Nerkuppai Village, Nochiyam Post, Manachanallur Taluk, Trichy District pursuant to the judgment and decree passed by this Court in S.A.(MD).No.223 of 2011 dated 27.06.2011.

2. Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor takes notice for the respondents 1 and 2. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The learned counsel appearing for the writ petitioner would submit that the writ petitioner and others have filed a suit claiming permanent injunction and mandatory injunction and the matter went upto the High Court in second appeal and the second appeal was partly



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allowed granting permanent injunction but dismissing the appeal with regard to mandatory injunction. He would further submit that the writ petitioner and others have already filed a petition seeking execution. He would further submit that the writ petitioner has given a representation seeking police protection for constructing partition wall in pursuance of the decree obtained by him.

4. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that the writ petitioner's representation is pending before the second respondent.

5. Considering the above, the second respondent is directed to issue notice to the writ petitioner as well as to the private respondents and conduct enquiry and take a decision within a period of ten days from the date of receipt of a copy of this order.

6. With the above directions, the Writ Petition stands disposed of.

No costs.

25.09.2024

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

csm



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K.MURALI SHANKAR, J

csn

To

- 1.The Superintendent of Police,
Trichy District,
Trichy.
- 2.The Inspector of Police,
Kollidam Police Station,
Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
W.P.(MD)No.22768 of 2024

Dated : 25.09.2024