



W.P.(MD)No.24942 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED:06.12.2024

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.24942 of 2023

and

W.M.P.(MD) Nos.21133 and 21131 of 2023

Roopa

... Petitioner

Vs.

1.The Superintendent of Police,
Thanjavur District.

2.The Inspector of Police,
Pattukkottai, Thanjavur District.

3.The Inspector of Police,
Peravurani Police Station,
Thanjavur District.

4. Chandra

5. Neelakandan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus forbearing the 1st to 3rd respondent from interfering into the civil dispute under the guise of police protection



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pertaining to the subject matter of property mentioned in the O.S.No. 74 of 2021 on the file of Additional District Court, Pattukkottai without any specific orders to that effect by any competent court.

For Petitioner : Mr.A.Arul Jenifer
for M/s.KBS Law Office

For Respondents : Mr.S.Ravi
Additional Public Prosecutor
for R1 to R3
Mr.N.Balakrishnan
for R4 and R5

ORDER

This writ petition has been filed for the issue of a writ of mandamus forbearing the police from interfering with the civil dispute between the parties.

2.Heard the learned counsel for the petitioner, the learned Government Advocate appearing on behalf of respondents 1 to 3 and the learned counsel appearing for the fourth and fifth respondents.



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3. There is already a civil dispute between the parties and partition suit is pending. Therefore, insofar as the civil rights of the parties are concerned, it has to be worked out only in the pending suit.

4. It is brought to the notice of the Court that the fourth respondent has filed CrI.O.P.(MD) No.14837 of 2023 seeking for police protection to her life and limb. This Court by an order dated 24.08.2023, directed the police to provide police protection.

5. The above order passed by this Court only confines itself to the life and limb of the fourth respondent. That cannot be extended to protection for the property. Such police protection can never be given particularly when a suit is pending before the competent civil Court.

6. In view of the above, it is made clear that the respondent police will not interfere with the property dispute between the petitioner and the contesting respondents and the police protection will confine itself only to the life and limb of the fourth respondent.



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7.This writ petition is disposed of accordingly.

Consequently, connected miscellaneous petitions are closed.

06.12.2024

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

To

- 1.The Superintendent of Police,
Thanjavur District.
- 2.The Inspector of Police,
Pattukkottai, Thanjavur District.
- 3.The Inspector of Police,
Peravurani Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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N.ANAND VENKATESH,J.

PKN

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