



WEB COPY



Crl.O.P.No.5778 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No. 5778 of 2025

N.C. Perumal

... Petitioner

Vs.

1. The Superintendent of Police,
Nethimedu,
Salem 636 002
Salem District.

2. The Inspector of Police,
Nangavalli Police Station,
Jalagandapuram,
Mettur Taluk, Salem District

3. Geetha

4. Jayamurugan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the constitution of India praying for issuance of Writ of Mandamus to direct the respondents 1 and 2 to provide necessary police protection for fencing the petitioner's land measuring 7.59 acres comprised in S.No.198/2B, Patta No.3851, Periyasoragai Village, Mettur Taluk, Salem District, by considering his petition dated 30.12.2024.

For Petitioner : Mr.P. Mani

For Respondents : Mr.A.Gopinath, GA (crl.side) - R1 & R2

Mr.Azaruddhin - R3 & R4



Crl.O.P.No.5778 of 2025

ORDER

WEB COPY

This Writ Petition is filed for issuance of Writ of Mandamus to direct the respondents 1 and 2 to provide necessary police protection for fencing the petitioner's land measuring 7.59 acres comprised in S.No.198/2B, Patta No.3851, Periyasoragai Village, Mettur Taluk, Salem District, by considering his petition dated 30.12.2024.

2. According to the petitioner, the petitioner purchased 7.59 acres out of 9.32 acres in S.No.198/2, Periyasoragai Village, Mettur, Salem District. After sub division, separate patta was issued in favour of the petitioner on 13.12.2024. Since then, the petitioner has been in possession and enjoyment of the land and cultivating the same by raising crops. Whiles, when the petitioner attempted to fence his land, the 3rd and 4th respondent, who are adjacent land owners of the petitioner's land prevented him from fencing his lands. Hence the petitioner made a representation to the respondents 1 and 2 to provide police protection while fencing his land. As the respondents 1 and 2 did not come forward to give police protection, the petitioner has filed the present writ petition.



Crl.O.P.No.5778 of 2025

3. The learned counsel appearing for the respondents 3 and 4

submitted that in respect of the very same property, a suit in O.S.No.7 of 2025 seeking declaration and permanent injunction and another suit in O.S.No.167 of 2023 between the petitioner and the 3rd and 4th respondents are pending on the file of District Munsif Court No.2, Mettur .

4. It is seen that there is a civil dispute between the petitioner and the respondents in respect of the subject property and it appears that civil suits were also pending before the District Munsif court No.2, Mettur between the parties. In view of the above, the representation submitted by the petitioner seeking police protection for fencing his property cannot be considered. Hence, this writ petition is dismissed. The petitioner is at liberty to approach the Civil Court for appropriate remedy. No costs.

19.02.2025

Index : Yes/No

Neutral citation : Yes/No

Speaking/non-speaking order

msr

To

1. The Superintendent of Police,
Nethimedu,
Salem 636 002, Salem District.

Page 3 of 4



WEB COPY



Crl.O.P.No.5778 of 2025

G.K.ILANTHIRAIYAN, J.

msr

2. The Inspector of Police,
Nangavalli Police Station,
Jalagandapuram,
Mettur Taluk, Salem District.

W.P.No. 5778 of 2025

19.02.2025