



WP.No.7388 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2025

CORAM:

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

W.P.No.7388 of 2025

N.Kala

... Petitioner

Vs.

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

2. The Inspector of Police,
Manalmedu Police Station,
Mayiladuthurai Sub Division,
Manalmedu,
Mayiladuthurai District.

3. Renganathan

4. R.Raja

5. R.Ilavarasi

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the 1st and 2nd respondents/Police to give protection to the petitioner's Vagayara for peaceful possession and enjoyment of the property mentioned in the decree and judgment delivered in A.S.No.21 of 2022 dated 18.09.2024 without any hindrance and intervention of the 3rd and 5th respondents,



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their agents and henchmen on the basis of the complaint given by the petitioner on 12.01.2024 and 20.10.2024 through registered post and the decree and judgment of the learned first appellate Court in A.S.No.21 of 2022 dated 18.09.2024 to the 1st and 2nd respondent/police.

For Petitioner : Mr.R.Chakkaravarthy

For Respondents

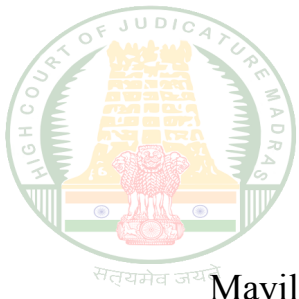
For R1 to R2 : Mr.A.Gopinath,
Government Advocate (Crl. Side)

For R3 to R5 : Mr. R.Shive Kumar
For M/s.K.M.Vijayan Association

ORDER

This petition has been filed seeking police protection for peaceful possession and enjoyment of the property, on the basis of the judgment passed in the appeal suit in A.S.No.21 of 2022 dated 18.09.2021 on the file of the learned District Judge, Mayiladuthurai, by considering the complaints dated 12.01.2024 and 20.10.2024.

2. It is seen that there is a property dispute between the petitioner and the respondents 3 to 5 herein. Now the respondents 3 to 5 filed second appeal as against the judgment and decree dated 18.09.2021 made in A.S.No.21 of 2022 passed by the learned District Judge,



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Mayiladuthurai, and it is pending before this Court. Therefore, the petitioner ought to have approached the civil Court for appropriate relief and this Court cannot be used as execution Court by way of this petition. Hence, the representation submitted by the petitioner, seeking police protection for peaceful possession and enjoyment of the property, cannot be considered and the writ petition itself is devoid of merits and liable to be dismissed.

3. Accordingly, the Writ Petition stands dismissed. There shall be no order as to costs.

03.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

rts



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G.K.ILANTHIRAIYAN, J.

rts

To

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

2. The Inspector of Police,
Manalmedu Police Station,
Mayiladuthurai Sub Division,
Manalmedu,
Mayiladuthurai District.

3.The Public Prosecutor,
High Court, Madras.

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