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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-03-2025

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

W.P. NO. 11305 of 2025

M.Varatharaj

.. Petitioner

Vs

1. The Collector,
O/o. Collector Office,
Salem District,
Tamil Nadu.

2.The Superintendent of Police,
O/o. Superintendent of Police Office,
Salem District,
Tamil Nadu.

3.The Inspector of Police,
Poolampatti Police Station,
Edappadi Taluk,
Salem District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorari, directing the respondents to provide immediate and adequate protection to the petitioner and his family from threats, harassment and intimidation by the petitioner's uncles, their sons, and their associates; to consequently conduct a thorough, impartial, and time-bound investigation into the threats, harassment and intimidation faced by the petitioner and his family and take appropriate legal action, including the arrest of the accused within a time frame stipulated by this Hon'ble Court to pay adequate compensation to the petitioner for the mental agony, physical suffering



and hardship caused to him and his family due to the harassment, threats and obstruction of access to his property by the accused in accordance with the principles laid down by law as determined by this Hon'ble Apex Court in Nilabati Behera Vs. State of Orissa, (1993) 2 SCC 746, and D.K.Basu Vs. State of West Bengal (1997) 1 SCC 416 to pass such other orders or directions as this Hon'ble Court may deem fit.

For Petitioner : M/s.R.Nasrine
For R1 : Mr.P.Balathandayutham,
Special Government Pleader for R1
For R2 & R3 : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This petition has been filed seeking a direction to direct the third respondents to provide adequate police protection to the petitioner and his family members.

2. The learned counsel for the petitioner submitted that originally the land belonged to the petitioner's ancestors. The said land was divided into three parts through a registered partition deed. As per the partition, three acres of land were allocated and was executed to the petitioner on 31.01.2022, in Document No.419 of 2022. During the partition, a portion of land measuring 1,633 square feet was allocated within the petitioner's land to the petitioner's



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brother. Due to this land dispute, petitioner's brother, is giving trouble to the petitioner and hence the petitioner has lodged a complaint to the second respondent on 07.02.2025 which was forwarded to the 3rd respondent and registered as CSR.No.80 of 2025. Since the same was not considered, this petition has been filed seeking for appropriate direction.

3. The learned Government Advocate (Crl.Side) submitted that the complaint lodged by the petitioner in CSR.No.80 of 2028, was subjected to the detailed enquiry and the same was closed on 07.02.2025.

4. It is seen that there is a civil dispute between the parties. While being so, the petitioner has sought police protection to enable peaceful enjoyment of the subject property.

5. In view of the above, this Court is of the opinion that police protection cannot be granted for enjoying the property. Accordingly, this writ



petition lacks merit and is liable to be dismissed. Hence, this Writ Petition

stands dismissed. No costs.

28.03.2025

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

drl

To

1. The Collector,
O/o. Collector Office,
Salem District,
Tamil Nadu.
2. The Superintendent of Police,
O/o. Superintendent of Police Office,
Salem District,
Tamil Nadu.
3. The Inspector of Police,
Poolampatti Police Station,
Edappadi Taluk,
Salem District.
4. The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN, J.



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