



W.P.No. 8288 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2025

CORAM:

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

W.P.No.8288 of 2025

All Bakshi

... Petitioner

Vs.

1.The Superintendent of Police,
Office of Superintendent of Police,
Kallakurichi District.

2.The Sub-Inspector of Police,
Moongilthuraipattu Police Station,
Kallakurichi District.

3.Velmurugan

4.Saroja

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus directing the respondent to consider the petitioner's representation dated 25.01.2025 and directing the respondents 1 and 2 to give police protection for construction of four side compound wall around the petitioner's house



W.P.No. 8288 of 2025

WEB COPY

site premises and take action against the third and fourth respondents.

For Petitioner : Mr.V.Gunasekar

For R1 & R2 : Mr.A.Gopinath,
Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed seeking a direction to the official respondents to consider the representation of the petitioner dated 25.01.2025 and to grant police protection for the construction of a four-sided compound wall around the petitioner's house site. The petitioner also seeks appropriate action to be taken against respondents 3 and 4, who are alleged to have interfered with the petitioner's peaceful possession.

2. The petitioner is in lawful possession and enjoyment of the property comprised in R.S. No. 92/B1, to an extent of 0.06 cents, situated at Moongilthuraipattu Village, Sankarapuram Taluk. While being so, the respondents 3 and 4, without any right, title, or lawful interest, made repeated attempts to trespass into the said property and interfered with



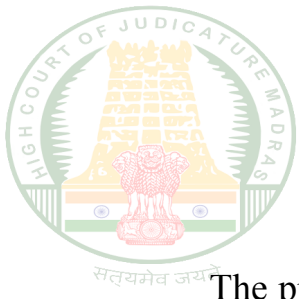
W.P.No. 8288 of 2025

WEB COPY

the petitioner's possession. The respondents 3 and 4 had filed a civil suit in O.S. No. 84 of 2009 before the District Munsif Court, Sankarapuram, seeking permanent injunction. The suit was dismissed on 30.11.2009. Aggrieved by the same, the respondents 3 and 4 preferred an appeal in A.S. No. 28 of 2010 before the Subordinate Court, Kallakurichi, which was dismissed on 21.04.2011. A further second appeal was filed by respondents 3 and 4 in S.A. No. 106 of 2012 before this Court, which was dismissed for default on 20.12.2023. Despite the conclusion of civil proceedings, respondents 3 and 4 continue to interfere with the petitioner's possession, necessitating repeated requests for police protection.

3. Heard both sides and perused the materials placed before this Court.

4. This Court, upon perusal of the materials and submissions, is of the view that the dispute is predominantly civil in nature, and appropriate remedies are available to the petitioner before the competent civil forum.



W.P.No. 8288 of 2025

WEB COPY

The prayer for police protection, in the absence of a present threat to life or limb or a cognizable offence, cannot be entertained under the criminal jurisdiction of this Court.

5. In view of the above, this Writ Petition stands dismissed. However, the petitioner is at liberty to pursue appropriate remedies in accordance with law before the competent civil forum, if so advised. No costs.

11.03.2025

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



W.P.No. 8288 of 2025

To
WEB COPY

1. The Superintendent of Police,
Office of Superintendent of Police,
Kallakurichi District.
2. The Sub-Inspector of Police,
Moongilthuraipattu Police Station,
Kallakurichi District.
3. The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN, J.



WEB COPY



W.P.No. 8288 of 2025

shk

W.P.No.8288 of 2025

11.03.2025