



WP.No.6774 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2025

CORAM:

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

WP.No.6774 of 2025

S.Sathyamurthy

... Petitioner

Vs.

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

2. The Deputy Superintendent of Police,  
Tirupattur, Tirupattur District.

3. The Inspector of Police,  
Gramiya Police Station,  
Tirupattur Taluk,  
Tirupattur District.

... Respondents

**Prayer :** Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to provide police protection for fencing the petitioner's land in Survey Nos.347/1B, 347/2 of Bommikuppam Village, Tirupattur Taluk, Tirupattur District to prevent the unsocial elements from trespassing into the land for consuming liquor, involving illegal activities and committing sand theft based on the representation dated 16.12.2024 made by the petitioner.



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For Petitioner : Mr.P.Rajavelayutham  
For Respondents : Mr.A.Gopinath  
Government Advocate (Crl.Side)  
for R1 to R3

### **ORDER**

This petition has been filed seeking police protection to fence the petitioner's land comprised in Survey Nos.347/1B, 347/2 of Bommikuppam Village, Tirupattur Taluk, Tirupattur District and also to prevent the unsocial elements from trespassing into the land for consuming liquor, involving illegal activities and committing sand theft.

2. The learned counsel appearing for the petitioner has submitted that the petitioner is a Senior Citizen. He is owner of the land comprised in Survey Nos.347/1B, 347/2 of Bommikuppam Village, Tirupattur Taluk, Tirupattur District. He had obtained pattas vide P.Nos.1323 and 1322. Hence, the petitioner is the absolute owner of the aforesaid property. Since the petitioner is in Chennai and used to visit the said property once in a while, taking advantage of his absence, some unknown persons and unsocial elements had trespassed into the



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petitioner's land for consuming liquor during night hours and some politically influenced persons were committed sand theft from his land and illegally transported the same for sale. Since the petitioner being a Senior Citizen, he could not take any effective steps against those unsocial elements and prevent them from unlawfully entering into his land. Hence, the petitioner has decided to protect his land by fencing and sought for police protection.

3. The learned Government Advocate (Crl.Side) appearing for the respondents police submitted that the petitioner is the absolute owner of the disputed property and he wants to fence his land, but the third parties are obstructing to fence his land. If there is any obstructions from the third parties, the petitioner may approach the Civil Court for appropriate relief.

4. Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate(Crl.Side) and perused the materials available on record.



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5. On perusal of the materials available on record clearly reveals that the petitioner is residing at Chennai and he owned property at Thirupattur. Now, the petitioner wants to fence his land, but the third parties are obstructing to fence his land. Hence, the petitioner has sought for police protection.

6. Taking into consideration the facts and circumstances of the case and the submissions made by both counsel, this Court is of the view that the police protection cannot be granted to fence the property owned by the petitioner. If there is any obstructions from the third parties, the petitioner ought to have approach the Civil Court for appropriate relief.

7. In view of the above, this Writ Petition is dismissed. No costs.

**26.02.2025**

Vv



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**G.K.ILANTHIRAIYAN, J.**

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