



W.P.No.10564 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2025

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.10564 of 2025

M.Fazlur Rahman

... Petitioner

Vs

1. The Indian Oil Corporation Ltd.,
Indian Oil Bhavan, 8/1079, Avinashi Road,
Coimbatore – 641018.

2. The Inspector of Police,
Gobichettipalayam Town,
Gobichettipalayam – 638 452.

3. R.Prabhu

4. VC.Palanisamy

5. Ramesh Kumar

6. Vijayalakshmi

... Respondents

Writ Petition filed under Article 226 of the Constitution praying to issue a Writ of Mandamus, directing the second respondent herein to grant Police protection to the petitioner to remove the fencing done illegally by the respondents 3 to 6 herein and safeguard the premises of the petitioner in which the petitioner was running the petrol bunk by getting supplies from the first respondent pursuant to the representation dated 12.03.2025.



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For Petitioner : Mrs.AL.Ganthimathi,
Senior Counsel
for Mr.L.Palanimuthu
For Respondents : Mr.A.Gopinath,
Govt. Advocate (Crl. Side) (for R2)
Mr.J.Ranjikumar (for R3 to R6)

ORDER

This Writ Petition has been filed for directing the second respondent herein to grant police protection to the petitioner to remove the fencing done illegally by respondents 3 to 6 herein and to safeguard the premises of the petitioner, in which the petitioner was running the petrol bunk by getting supplies from the first respondent, pursuant to the representation dated 12.03.2025.

2. Heard the learned counsel for the petitioner, the learned Government Advocate (Crl.Side) appearing for the second respondent and the learned counsel for the third to sixth respondents and perused the materials available on record.



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3. Having regard to the nature of order proposed to be passed in the Writ Petition, which would not cause any prejudice to the first respondent, notice to it is dispensed with.

4. It is seen that the petitioner is a lessee under the original owner. The petitioner was licensed to run a retail dealer of petroleum products. After the demise of the original owner, the petitioner is claiming adverse possession and has also filed a suit, which is pending. In the meanwhile, respondents 3 to 6, who are claiming title over the property and have also filed a suit, suspended the licence and fenced the property.

5. In view of the above, both the petitioner as well as respondents 3 to 6 lodged a complaint and they were issued CSR Nos. 65 and 66 of 2025. Now, the petitioner sought police protection to remove the fence. When the civil suits are very much pending between the parties, police protection cannot be granted, that too, to remove the fence. They have to approach the Civil Court for appropriate relief. Hence, this Writ Petition is devoid of merits and is liable to be dismissed.



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6. Accordingly, this Writ Petition is dismissed. No costs.

24.03.2025

Index: Yes/No
Neutral Citation/Yes/No
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To

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Coimbatore – 641018.
2. The Inspector of Police,
Gobichettipalayam Town,
Gobichettipalayam – 638 452.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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