



W.P.No.11545 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.11545 of 2023

and

W.M.P.No.11443 of 2023

U.Settu

... Petitioner

Vs.

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

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

3.The Inspector of Police,
Tirupattur Rural Police Station,
Tirupattur,
Tirupattur District.

4.Mohan
5.Mahesh
6.Sekar
7.Sankar
8.Ranjith
9.Karunakaran
10.Manoharan
11.Nandakumar
12.Thavamani

... Respondents



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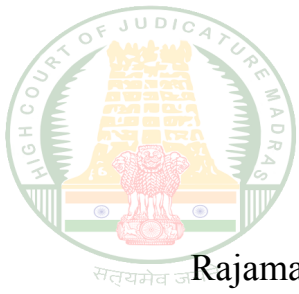
Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to grant Police protection to the petitioner to use the public road/panchayat road comprised in S.No.361/7, 356/6, 356/6A, 354/5, 359/9, 356/8 situated at Sowdekuppam Village, within Rajamangalam Panchayat, Tirupattur Taluk and District.

For Petitioner : Mr.R.Rajarajan
For R1 to R3 : Mr.K.M.D.Muhilan,
Additional Public Prosecutor
For R4 to R12 : Mr.M.P.Jaya Prakash

ORDER

This writ petition is filed to direct the respondents 1 to 3 to grant Police protection to the petitioner to use the public road/panchayat road comprised in S.No.361/7, 356/6, 356/6A, 354/5, 359/9, 356/8 situated at Sowdekuppam Village, within Rajamangalam Panchayat, Tirupattur Taluk and District.

2.It is the case of the petitioner that he is the owner of the properties in S.Nos.363/1, 362/5 and 362/6 situated in Sowdekuppam Village, within



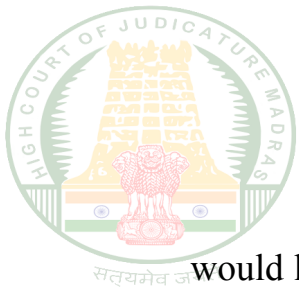
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Rajamangalam Panchayat, Tirupattur Taluk and District. The petitioner has been using the panchayat road laid in S.No.361/7, 356/6, 356/6A, 354/5, 359/9, 356/8 to access his aforesaid properties. However, it is the grievance of the petitioner that, on 25.02.2023, the private respondents threatened the petitioner when he was going through the panchayat road and warned him not to use the panchayat road. In this regard, the petitioner lodged a complaint with the 3rd respondent on 25.03.2023 and a CSR has been issued in CSR No.110 of 2023. Since it is unlawful for the private respondents to prevent the petitioner from using the public road for accessing his properties, the petitioner seeks Police protection to use the public road without any hindrance or obstruction from the private respondents.

3.Now, the learned Additional Public Prosecutor appearing for the respondent Police would submit that, based on the complaint of the petitioner, an FIR has been registered.

4.At the outset, this Court is of the view that the Police protection as sought for by the petitioner cannot be granted. The practice of granting blanket orders of police protection, particularly in respect of civil disputes,



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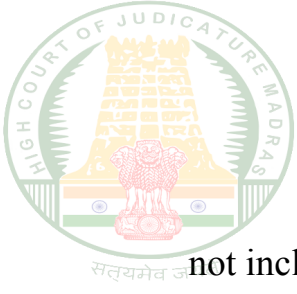
would lead to serious consequences. In this regard, the Hon'ble Apex Court,

in the case of ***PR.Muralidharan and others v. Swami Dharmananda***

Theertha Padar reported in ***2006 (4) SCC 501***, has held as follows:

“...19.A Writ for "Police Protection“ so-called, has only a limited scope, as when the Court is approached for protection of rights declared by a decree or by an order passed by a civil Court. It cannot be extended to cases where rights have not been determined either finally by the civil Court or, at least at an interlocutory stage in an unambiguous manner; and then too in furtherance of the decree or order.”

5. Therefore, without resorting to the civil remedy available to the petitioner by instituting a suit as against the private respondents for injunction, the petitioner cannot straight away come to this Court by way of writ petition seeking Police protection. If at all there is any interference to the usage of the public road by the private respondents, nothing prevented the petitioner from approaching the Civil Court for obtaining necessary orders. Now, it is submitted that an FIR has also been registered based on the complaint given by the petitioner. Therefore, the same can also be prosecuted by the petitioner in accordance with law. Hence, this Court is



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not inclined to entertain this writ petition for Police protection at this stage.

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6. Accordingly, this writ petition is dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

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Internet : Yes

Index : Yes / No

Speaking order : Yes / No

Neutral Citation : Yes / No

To

1. The Superintendent of Police,
Tirupattur,
Tirupattur District.
2. The Deputy Superintendent of Police,
Tirupattur Taluk Rural,
Tirupattur District.
3. The Inspector of Police,
Tirupattur Rural Police Station,
Tirupattur,
Tirupattur District.
4. The Public Prosecutor,
High Court, Madras.



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N. SATHISH KUMAR, J.

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