



W.P.No.13091 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.13091 of 2023

S.Sitharaman

... Petitioner

Vs.

1.Assistant Commissioner of Police,
Ambattur Range,
Ambattur, Chennai – 600 053.

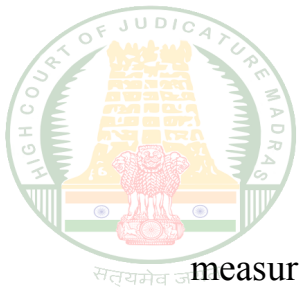
2.Inspector of Police,
T3-Korattur Police Station,
Chennai – 600 076.

3.M.Hemamalini

4.M.Thirulogachander

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents 1 and 2 to consider the petitioner's representation dated 01.03.2023 and to take necessary action against the respondents 3 and 4 and their accomplice to provide police protection to put up a compound wall to the petitioner's property bearing Plot No.23 measuring 2700 sq.ft. and Plot No.24



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measuring 2480 sq.ft. totally measuring an extent of 5180 sq.ft. comprised in Old S.No.229/1, T.S.No.166/13 and T.S.No.166/14, Seetharaman Nagar, Thathankuppam, Seeyathamman Koil Street, Agraharam, Korattur, Chennai – 600 076, Block No.33, Ward-E, Division – 083, Zone – VII, Korattur Village, Ambattur Taluk, Thiruvallur District.

For Petitioner : Mr.C.D.Modhi
For R1 and R2 : Mr.K.M.D.Muhilan,
Additional Public Prosecutor
For R3 and R4 : Mr.S.Silambuselvan

ORDER

This writ petition is filed to direct the respondents 1 and 2 to consider the petitioner's representation dated 01.03.2023 and to take necessary action against the respondents 3 and 4 and their accomplice to provide police protection to put up a compound wall to the petitioner's property bearing Plot No.23 measuring 2700 sq.ft. and Plot No.24 measuring 2480 sq.ft. totally measuring an extent of 5180 sq.ft. comprised in Old S.No.229/1, T.S.No.166/13 and T.S.No.166/14, Seetharaman Nagar, Thathankuppam, Seeyathamman Koil Street, Agraharam, Korattur, Chennai – 600 076, Block No.33, Ward-E, Division – 083, Zone – VII, Korattur Village, Ambattur



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Taluk, Thiruvallur District.

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2. According to the petitioner, he is the owner of the subject property.

It is his grievance that the respondents 3 and 4 created bogus documents which included the petitioner's property and obtained patta. Thereafter, the petitioner approached the Revenue Divisional Officer to cancel the patta issued in favour of the respondents 3 and 4 and accordingly, the patta in favour of the respondents 3 and 4 was cancelled. The appeal filed by the respondents 3 and 4 was also dismissed. When the respondents 3 and 4 tried to alienate the property, the petitioner has filed a suit in O.S.No.463 of 2009 on the file of the District Munsif Court, Ambattur, for permanent injunction not to alienate the property and the said suit was decreed *ex parte* on 06.03.2012. Thereafter, the petitioner applied for patta and he has obtained patta in his favour. When the petitioner was putting his compound wall around his property, the respondents 3 and 4, along with 20 rowdy elements, demolished the compound wall put up by the petitioner and threatened him of dire consequences. Hence, the petitioner seeks police protection for putting up a compound wall.



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3.Heard the learned counsel for the petitioner and perused the entire materials available on record.

4.The allegations made out by the petitioner *prima facie* appears to be purely civil in nature. If at all the petitioner has better title, it is for him to establish the same in the manner known to law in respect of the possession of the property. This Court is of the view that, the police protection as sought for by the petitioner cannot be granted, particularly, when there is rival claim by the other side. The practice of granting blanket orders of police protection, particularly in respect of civil disputes regarding immovable property without establishing the title, would lead to serious consequences. In this aspect, 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



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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. Even as per the submissions of the learned counsel for the petitioner, the suit filed by the petitioner has been decreed in his favour for injunction. In such view of the matter, there cannot not be any blanket order for police protection and the petitioner can very well work out his remedy as per law by executing the decree in his favour. In the meantime, if there is any forcible trespass by the private respondents or others, it is well open to the petitioner to lodge a complaint before the respondent Police and if the Police, on enquiry, finds any offence being committed, can proceed with the complaint and initiate appropriate action.

6. With these observations, this writ petition is disposed of. No costs.

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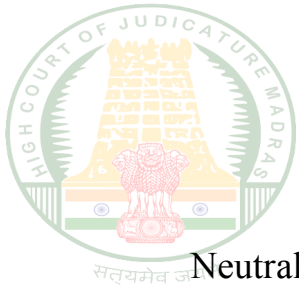
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Internet : Yes

Index : Yes / No

Speaking order : Yes / No

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Neutral Citation : Yes / No

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To

- 1.The Assistant Commissioner of Police,
Ambattur Range,
Ambattur, Chennai – 600 053.
- 2.The Inspector of Police,
T3-Korattur Police Station,
Chennai – 600 076.
- 3.The Public Prosecutor,
High Court, Madras.



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N. SATHISH KUMAR, J.

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