



W.P.No.13047 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2025

CORAM:

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P. No.13047 of 2023

M.Sainsha

... Petitioner

Versus

1.The Commissioner of Police
Commissioner Office
Avadi,Chennai – 600 054

2. The Inspector of Police
Mangadu Police Station
Chennai – 600 122

3.Mohammed Yunoos

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus, directing the 1st and 2nd respondents to provide adequate police protection for fencing the petitioner's property based on the representation dated 03.04.2023.

For Petitioner : Mr.G.Mohammed Aseef

For Respondents : Mr.K.M.D.Muhilan for R1 & R2
Additional Public Prosecutor



W.P.No.13047 of 2023

ORDER

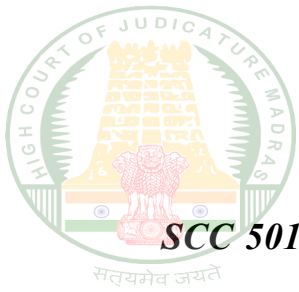
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The writ petition has been filed seeking to direct the 1st and 2nd respondents to provide adequate police protection for fencing the petitioner's property based on the representation dated 03.04.2023.

2. It is the contention of the learned counsel for the petitioner when the petitioner tried to fence the property, the third respondent is continuously preventing the petitioner. Hence, the petition.

3. Heard both sides and perused the materials placed on record.

4. At the out set, this Court is unable to countenance the submission of the learned counsel for the petitioner. If at all the petitioner has any dispute with regard to measurement and survey of the land, the proper course is to approach Civil Court by making the respondents as a necessary party or to appoint an Advocate Commissioner, without resorting the same, as a blanket order police protection cannot be granted. In this regard, the Hon'ble Apex Court in the judgment of *P.R.Muralidharan and others Vs. Swami Dharmananda Theertha Padar and others* reported in (2006) 4



W.P.No.13047 of 2023

SCC 501 has held that what are all the matters for which police protection can be granted. For better appreciation, the relevant portion of the judgment

is extracted below:

“...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. In view of the above, this writ petition stands dismissed. No costs.

18.08.2025

dhk

Index :Yes/No

Internet:Yes/No

To

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N. SATHISH KUMAR, J.



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W.P.No.13047 of 2023

dhk

W.P. No.13047 of 2023

18.08.2025