



W.P.No.18198 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.18198 of 2022

Srinivasan

... Petitioner

Vs.

1.State represented by Superintendent of Police,
Cuddalore District.

2.The Inspector of Police,
Kullanchavadi Police Station,
Cuddalore District.

3.The Tahsildar,
Kuringipaadi Taluk,
Cuddalore District.

4.Parthasarathi

... Respondents

*[R4 impleaded vide order of Court dated 05.08.2022
made in WMP No.18327/2022 in WP No.18198/2022]*

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 2nd respondent to consider the representation dated 22.06.2022 and to give necessary protection during the survey of the land by surveyor and fixing survey stone in the Survey No.70/16, 17/5 and 36/3.



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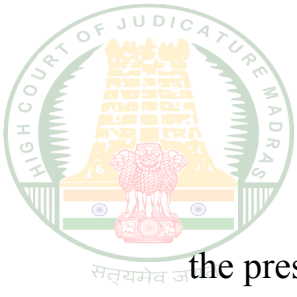
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For Petitioner : Mr.N.U.Pressanna
For R1 to R3 : Mr.K.M.D.Muhilan,
Additional Public Prosecutor
For R4 : Mr.R.Chakkaravarthy

ORDER

This writ petition is filed to direct the 2nd respondent to consider the representation dated 22.06.2022 and to give necessary protection during the survey of the land by surveyor and fixing survey stone in the Survey No.70/16, 17/5 and 36/3.

2.It is the case of the petitioner that the land in Survey Nos.70/16, 17/5 and 36/3 is utilized as common pathway by all the co-shares to access their respective properties. Since there was some misunderstanding between the petitioner and another co-sharer (4th respondent herein), the petitioner approached the Tahsildar to survey and fix boundaries of the said land. Though the co-sharers were issued summons for survey, due to the intervention of the 4th respondent and his family members, the Revenue authorities were not able to survey the land. Hence, the petitioner has filed



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the present writ petition seeking Police protection to survey the land.

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3.Heard the learned counsel on either side and perused the materials on record.

4.At the outset, this Court is of the view that the allegations made out by the petitioner *prima facie* appear to be purely civil in nature. The practice of granting blanket orders of police protection, particularly in respect of civil disputes, 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 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.”



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5.If at all there is any obstruction on the side of the 4th respondent or any other co-sharer, nothing prevented the petitioner from instituting a suit against them and seek for an 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 before the Civil Court. Instead, the petitioner cannot maintain a writ petition to virtually seek for an injunction, which is not permissible in law.

6.Therefore, I do not find any merit in this writ petition. Accordingly, this writ petition is dismissed. No costs.

13.08.2025

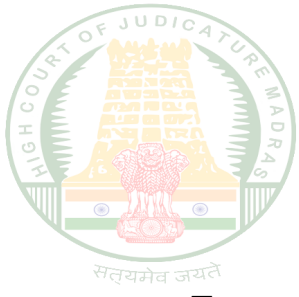
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Internet : Yes

Index : Yes / No

Speaking order : Yes / No

Neutral Citation : Yes / No



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To

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Cuddalore District.
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Kuringipaadi Taluk,
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High Court, Madras.



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N. SATHISH KUMAR, J.

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