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W.P.Crl.No.357 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2025

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.Crl.No.357 of 2025

G.Chandra

... Petitioner

Vs.

1. The District Collector,
Mannampandal,
Mayiladudurai District – 609 305.
2. The Superintendent of Police,
Mayiladudurai District,
The District Police Office,
Mayiladudurai – 609 003.
3. The Inspector of Police,
Perambur Police Station,
Mayiladudurai District – 609 402.
4. Kuzhanthaisamy
5. Jayaraj
6. Sanjairaj @ Sanjeeviraj
7. Jayabharathi

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, praying to issuance of Writ of Mandamus, directing the 1st to 3rd respondents to provide protection to the petitioner based on the representation dated 17.02.2025.



WEB COPY



W.P.Crl.No.357 of 2025

For Petitioner : Ms.S.Santhiya
For Respondents : Dr.C.E.Pratap
Government Advocate (Crl.Side)
for R1 to R3

ORDER

The Writ Petition has been filed seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to provide Police protection to the petitioner by considering the representation of the petitioner dated 17.02.2025.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for respondents 1 to 3 and perused the materials available on record.

3. Since no adverse order is being passed as against respondents 4 to 7 affecting their interest, notice to those respondents is dispensed with.

4. The grievance of the petitioner is that she is a lawful lessee of the agricultural land measuring an extent of 1.47 acres in S.No.240/1 at



W.P.Crl.No.357 of 2025

Sengudi Village, Kuttalam Taluk, Nagapattinam District. She had engaged two individuals viz., Kuzhandhaisamy and Balasubramaniyan, for getting assistance in cultivation of the aforesaid property. Later, they conspired to claim 78 cents of the aforesaid property and filed a caveat petition against the petitioner on the file of the Sub Court, Mayiladuthurai. Subsequently, the petitioner filed a suit in O.S.No.106 of 2017 before the Additional District Munsif Court, Mayiladuthurai seeking permanent injunction and also obtained a decree in her favour. Challenging the said decree, the said Kuzhandhaisamy preferred an appeal in A.S.No.5 of 2024 before the Principal Subordinate Court, Mayiladuthurai and the same is still pending and no stay order has been granted. Despite subsisting injunction, the said Kuzhandhaisamy and his sons (respondents 4 to 7 herein) have criminally trespassed and obstructed the cultivation in the said property and also given life threats to the petitioner. Therefore, the petitioner has given a representation dated 17.02.2025 to the respondents-Police seeking Police protection to cultivating the said land. Since no action was forthcoming, the present petition is filed.



W.P.Crl.No.357 of 2025

5. It is seen from the records that there is a property dispute pending between the petitioner and the private respondents 4 to 7 herein, which is purely civil in nature. The petitioner herein had already obtained a decree of permanent injunction in respect of the subject property in her favour and as against the decretal order an appeal is pending before the lower appellate Court. When things stood as above, the Writ Court cannot conduct a roving enquiry regarding the same dispute and it is for the petitioner to workout her remedy before the competent civil Court in a manner known to law. Therefore, this Court is not inclined to give any positive direction to the respondents/Police to provide Police protection to the petitioner to cultivate the said land.

6. With the above observations, the Writ Petition is dismissed.

There shall be no order as to costs.

25.07.2025

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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WEB COPY



W.P.Crl.No.357 of 2025

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Mayiladudurai District – 609 402.
4. The Public Prosecutor,
High Court, Madras.



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W.P.Crl.No.357 of 2025

P.VELMURUGAN, J

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W.P.Crl.No.357 of 2025

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