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WP CrI. No. 365 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

WP.CrI. No. 365 of 2025

Gopal

Appellant(s)

Vs

1. The Superintendent of Police,
Superintendent of Police Office,
Ulundurpet, Kallakurichi District.

2.The Deputy Superintendent of Police,
Superintendent of Police Office,
Ulundurpet, Kallakurichi District.

3.The Inspector of Police,
Police Inspector Office, Thirunavalur,
Ulundurpet Taluk,
Kallakurichi District.

4.Kandhavarayam

Respondent(s)



PRAYER

Writ of Mandamus to direct the respondents to consider and dispose my representation dated 10.01.2025 for taking necessary actions against the 4th respondent and consequently direct the 1-3rd respondents to provide the necessary police protection to access my agricultural land for cultivation.

For Appellant(s): M/s.Tharun Roshan E

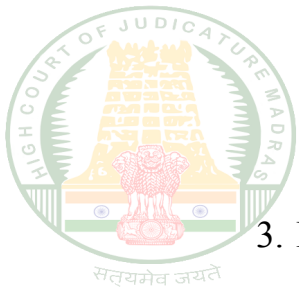
For Respondent(s): Mr.K.M.D.Muhilan,
Additional Public Prosecutor,
for R1 To R3

Mr.M.Muruganantham, for R4

ORDER

The petitioner has filed this petition to consider his representation and to provide protection to have access to his property.

2. It is the case of the petitioner that he is an agriculturist owning a land measuring 1.10 acres in Vellore Village. According to him, he has obtained decree for declaration and permanent injunction against the fourth respondent on 24.10.2010. However, the fourth respondent is interfering with his possession.



3. Heard the learned counsel appearing for the petitioner and the learned counsels for the respondents and perused the materials available on record.

4. At the outset, this Court is of the view, such a protection cannot be granted particularly, when there is rivalry claim by the other side. The practice of granting the blanket police protection particularly, immovable property without establishing title leads to serious consequences. In this aspect, the Hon'ble Apex Court in the case of **"PR.Muralidharan and others Vs.Swami Dharmananda Theertha Padar"** reported in **2006 4 SCC** as 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."

Even as per the submissions of the learned counsel for the petitioner, it is seen that there is a proceedings between the petitioner and the fourth respondent in the Civil Court. In such view of the matter, there shall not be any blanket Order



for police protection and the petitioner can very well work out his remedy
before the Execution Court by filing appropriate application.

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5. Accordingly, this Petition is dismissed.

02-09-2025

pvs

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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N.SATHISH KUMAR J.

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