



WEB COPY

WP No. 26274 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

WP No. 26274 of 2024

Smita Kelton Shah

Petitioner(s)

Vs

1. The Superintendent of Police
Krishnagiri District, Krishnagiri.

2. The Deputy Superintendent of Police
Krishnagiri District, Hosur.

3. The Inspector of Police
Hudco- Hosur Police Station,
Hosur, Krishnagiri District.

4. Subbachari

Respondent(s)



PRAYER

Directing the 3rd respondent to provide police protection in respect of the land comprised in Survey Nos.686/ 3B2, 745/ 3, 746/1, 746/2, 748/1, 749/1, 750/1A, 750/1B, 750/1D, 750/1F, 750/2A, 750/2B, 750/2C, 752/1A, 752/1B, 752/1C, 752/2A, 752/2B, 752/2C, 754/3C and 747, are situated at Moranapalli revenue village, Hosur Taluk, Krishnagiri District, based on the Petitioner representation dated 26/01/2024 in CSR No. 20/2024 dated 27/01/ 2024 and CSR No.326/ 2024 dated 31.08.2024.

For Petitioner(s): P.Murugesan
A.Krishna Moorthy

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

Mr.P.M.Jayachandran, for R4

ORDER

This petition has been filed to provide police protection to the petitioner's lands situated at Moranapalli revenue village, Hosur Taluk, Krishnagiri District.

2. It is the case of the petitioner that he has purchased the property to an extent of 16.36 Ares in various survey Numbers at Moranapalli Village and from the date of purchase, he is in continuous possession and patta was mutated in his favour. However, the fourth respondent interfered with the petitioner's



possession and he also filed a suit against the petitioner. The petitioner field rejection of plaint and the same is ordered in his favour.

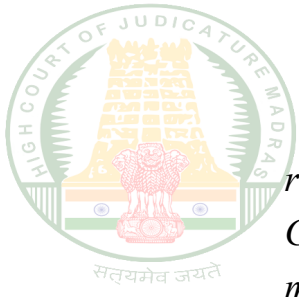
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3. The learned Additional Public Prosecutor submitted that now the property has been fenced.

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

5. 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



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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 Civil Court.

6. Accordingly, this Petition is dismissed.

02-09-2025

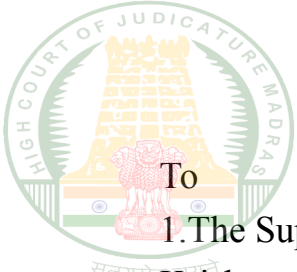
pvs

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

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