



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 18-08-2025**

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**THE HONOURABLE MR JUSTICE N. SATHISH KUMAR**

**WP CrI. No. 612 of 2025**

1. S.Vasu

S/o. Subramaniyan, No.10,  
Mariyamman Koil Street, Kandhanpet,  
Pudhucherry 607402.

Appellant(s)

Vs

1. The Superintendent of Police (south)  
Ariyankuppam Police Complex,  
Puducherry - 605007.

2.The Inspector of Police,  
H-2, Kirumambakkam police Station,  
Kirumambakkam, Puducherry.

3.Karthick

S/o. Munnadiyan, Mariyamman Koil  
St, Kandhanpet, Pudhucherry - 607402.

Respondent(s)

**PRAYER** : Writ Petition filed under Article 227 of Constitution of India to issue a Writ or order or orders or direction, particularly in the nature of Writ of Mandamus the first and Second respondent to grant police protection to the petitioner family peacefully to construct a house and to live in their house at



No.10, Mariyamman Koil Street, Kandhanpet, Pudhucherry - 607402

considering the petitioner Representation dated 04.04.2025 and 14.07.2025 to secure ends of justice.

For Appellant(s): K.Francis  
A.Ramesh

For Respondents: Mr.K.S.Mohandass  
Public Prosecutor – R1 & R2

### **ORDER**

This Writ Petition has been filed to direct the first and Second respondents to grant police protection to the petitioner family peacefully to construct a house and to live in their house at No.10, Mariyamman Koil Street, Kandhanpet, Pudhucherry - 607402 considering the petitioner Representations dated 04.04.2025 and 14.07.2025.

2. The case of the petitioner is that the subject property has been settled in favour of the mother of the petitioner and they are in enjoyment of the property. While so, his adjacent owner Mr.Karthikeyan had encroached their

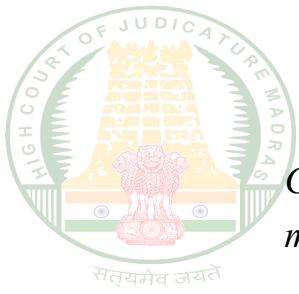


property and he is not allowing the petitioner to construct the house in their property. Hence, the present Writ Petition.

3. The learned Public Prosecutor appearing for the first and second respondents on instructions submitted that as the dispute between the parties is civil in nature, police protection cannot be given and hence, prayed for dismissal of this Writ Petition.

4. At the outset, this Court is of the view, such a protection cannot be granted particularly, when there is rival claim by the other side. The practice of granting blanket police protection particularly, in respect of 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** 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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Even as per the submissions of the learned counsel for the petitioner, there is a civil dispute between the parties. In such view of the matter, there shall not be any blanket Order for police protection.

5. Accordingly, this Criminal Original Petition is dismissed.

**18-08-2025**

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To

1. The Superintendent of Police (south)  
Ariyankuppam Police Complex,  
Puducherry - 605007.

2. The Inspector of Police,  
H-2, Kirumambakkam police Station,  
Kirumambakkam, Puducherry.



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**N.SATHISH KUMAR J.**

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