



W.P.(CrI.) No.590 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.(CrI.)No.590 of 2025

B.Baskar

... Petitioner

Vs.

The Union Territory of Puducherry represented by

1.The Superintendent of Police (East)
Office of the Superintendent of Police,
Puducherry.

2.The Inspector of Police,
Lawspet Police Station,
Puducherry – 605 008.

3.Segar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 2nd respondent Police to provide Police protection for putting up a compound wall in the petitioner's property at Plot No.26 & 27 extending to an total extent of 2531 sq.ft situated in Cad No.963/1, Paimash No.3095 and 3096 and as per patta Cad No.936/1/2pt with R.S.No.90/3/C/3 with Patta No.801 in Karuvadikuppam Revenue Village.



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For Petitioner : Mr.V.S.Senthilkumar
For R1 and R2 : Mr.M.V.Ramachandramurthy
Additional Public Prosecutor
(Pondicherry)
assisted by Mr.A.Alexander
Government Advocate (Pondicherry)

ORDER

This writ petition has filed to direct the 2nd respondent Police to provide Police protection for putting up a compound wall in the petitioner's property at Plot No.26 & 27 extending to an total extent of 2531 sq.ft situated in Cad No.963/1, Paimash No.3095 and 3096 and as per patta Cad No.936/1/2pt with R.S.No.90/3/C/3 with Patta No.801 in Karuvadikuppam Revenue Village.

2.The petitioner states that his grandfather namely Narayanasamy Asari originally purchased the subject property vide sale deed dated 07.10.1966 and he executed a registered will dated 09.01.1979 and after his death, the petitioner's mother Angammal @ Rajeswari executed a settlement deed dated 22.06.2010 in favour of the petitioner and his two brothers and one sister and since then, the petitioner is in possession and enjoyment of his share in the property. While so, the 3rd respondent, claiming that the



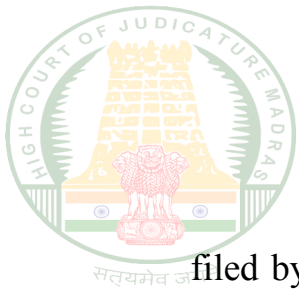
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property belongs to him, filed a suit in O.S.No.1293 of 2022 before the Additional District Munsif, Puducherry, for permanent injunction. However, the trial Court dismissed the suit by judgment and decree dated 09.06.2025. When the petitioner decided to put up a compound wall in the property, the 3rd respondent, along with his henchmen, came to the property and threatened the petitioner with dire consequences and prevented them from putting up the compound wall. Therefore, the petitioner has come up with the present writ petition seeking Police protection to put up a compound wall.

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

4.The petitioner seeks Police protection to put up a compound wall. The main contention of the petitioner is that, though the 3rd respondent has lost his suit in O.S.No.1293 of 2022 before the Additional District Munsif, Puducherry, for permanent injunction, when the petitioner tried to fence his property, there were obstructions made by the 3rd respondent. On perusal of the judgment and decree in O.S.No.1293 of 2022, it is clear that the suit



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filed by the 3rd respondent for permanent injunction has been dismissed on the ground that the 3rd respondent/plaintiff has failed to prove his possession over the suit property. But the fact remains that the judgment was delivered recently on 09.06.2025. It is not known as to whether any appeal is preferred as against the judgment and decree in O.S.No.1293 of 2022. Further, the suit documents also indicate that the 3rd respondent has relied upon a will of the year 1946 much prior to the documents relied upon by the petitioner. In such view of the matter, at this stage, the respondent Police cannot be directed to give protection to the petitioner to fence the property. If at all the petitioner wants to fence his property, he can institute a civil suit under the Tamil Nadu Survey and Boundaries Act, 1923, and get it done, if he is so advised.

5. Accordingly, this writ petition is dismissed. No costs.

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Internet : Yes

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Speaking order : Yes / No

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Neutral Citation : Yes / No

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To

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Lawspet Police Station,
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- 3.The Public Prosecutor,
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N. SATHISH KUMAR, J.

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