

W.P.(CrI).No.631 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.(CrI).No.631 of 2025

R.Krishnamurthy

... Petitioner

Vs.

1. The Inspector of Police,
Pennagaram Police Station,
Dharmapuri District

2. T.Ramasamy
3. R.Sivaguru
4. G.Sivaranjith

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus directing the 1st respondent to give necessary police protection to the petitioner to put fencing around his properties comprised in S.No.301/1A to an extent of 0-50.50 Hect. Ares, S.No.302/2 – to an extent of 0-5.00 Hect-Ares and S.No.303/1 – to an extent of 0-12.00 Hect-Ares, Senganur Village, Pennagaram Taluk, Dharmapuri District.

For Petitioner : Mr.D.Gopinathan



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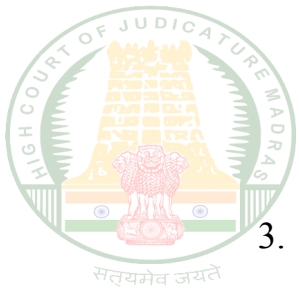
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For Respondents : Mr.K.M.D.Muhilan for R1
Additional Public Prosecutor

ORDER

This Writ Petition has been filed to direct the first respondent to provide necessary police protection to the petitioner to put fencing around his properties comprised in S.No.301/1A to an extent of 0-50.50 Hect. Ares, S.No.302/2 – to an extent of 0-5.00 Hect-Ares and S.No.303/1 – to an extent of 0-12.00 Hect-Ares, Senganur Village, Pennagaram Taluk, Dharmapuri District

2. The learned counsel for the petitioner submitted that the subject properties are ancestral properties of the petitioner's father and patta stands in the name of the father of the petitioner. The petitioner's father died on 24.09.2004. Now, the petitioner intends to put-up fence around the said properties, since the respondents 2 to 4 obstructed and warned the petitioner to sell the properties, the petitioner has come up with the present petition seeking police protection.



3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor for the first respondent 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."

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 as per law by executing decree.

5. Accordingly, this Writ Petition is dismissed. No costs.



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ssd

To

The Inspector of Police,
Pennagaram Police Station,
Dharmapuri District



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N. SATHISH KUMAR, J.

ssd

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