



W.P.No.640 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2025

CORAM:

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P. CrI.No.640 of 2025

K.Thiyagarajan

... Petitioner

Versus

1.The Superintendent of Police
Namakkal District

2.The Tahsildar
Kumarapalayam Taluk
Kumarapalayam, Namakkal District

3.The Inspector of Police
Kumarapalayam Police Station
Namakkal District

4.The Head Surveyor
Kumarapalayam Taluk
Kumarapalayam, Namakkal District

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus, directing the respondents 1 and 3 to provide adequate police protection during the measurement of the petitioner's land comprised in Survey Nos.302, 14B, 15B, 16,1 17B, Kumarapalayam Taluk, Kumarpalayam Agraharam, Kumarapalayam Revenue Village, Namakkal District based on the representation dated 09.08.2025 made to the respondents 1 and 3.



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For Petitioner

: Mr.C.Selvakumar

For Respondents

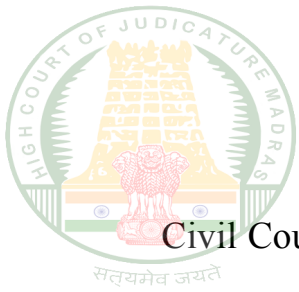
: Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The writ petition has been filed seeking to direct the respondents 1 and 3 to provide adequate police protection during the measurement of the petitioner's land comprised in Survey Nos.302, 14B, 15B, 16,1 17B, Kumarapalayam Taluk, Kumarpalayam Agraharam, Kumarapalayam Revenue Village, Namakkal District based on the representation dated 09.08.2025 made to the respondents 1 and 3.

2. It is the contention of the learned counsel for the petitioner one Krishnan who is residing next to the petitioner is disturbing the petitioner's possession, hence, seeks for police protection for measuring the property.

3. Heard both sides and perused the materials placed on record. At the out set, this Court is unable to countenance the submission of the learned counsel for the petitioner. If at all the petitioner has any dispute with regard to measurement and survey of the land, the proper course is to approach



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Civil Court by making the respondents as a necessary party or to appoint an Advocate Commissioner, without resorting the same, as a blanket order police protection cannot be granted. In this regard, the Hon'ble Apex Court in the judgment of ***P.R.Muralidharan and others Vs. Swami Dharmananda Theertha Padar and others*** reported in ***(2006) 4 SCC 501*** has held that what are all the matters for which police protection can be granted. For better appreciation, the relevant portion of the judgment is extracted below:

“...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.”

4. In view of the above, this writ petition stands dismissed. No costs.

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Index : Yes/No

To

1. The Superintendent of Police
Namakkal District

N. SATHISH KUMAR, J.



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2.The Tahsildar
Kumarapalayam Taluk
Kumarapalayam, Namakkal District

3.The Inspector of Police
Kumarapalayam Police Station
Namakkal District

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