



WEB COPY

WP CrI. No. 931 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

WP CrI. No. 931 of 2025

Sudharsan

Petitioner(s)

Vs

1. The Superintendent of Police,
Vellore, Vellore District.

2.The Deputy Superintendent of Police
Vellore, Vellore District.

3.The Inspector of Police,
Pernampet Police Station, Vellore
District.

4.Santhi

5.Mani

Respondent(s)

PRAYER

To direct the 3rd respondent to consider the petitioner's representation dated 05.07.2025 and provide police protection to the petitioners house property in



T.S.No.892/9, Old D.No.26, New D.No.75, Measuring 1109.25 Sq.Ft situated at Pernampet, Kudiyatham Taluk, Vellore District based on the CSR No.535/2025 on the file of the 3rd respondent.

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For Petitioner(s): Mr.V.Elangovan

For Respondent(s): Mr.R.Vinothraja,
Govt. Advocate (Crl. Side),
For R1

ORDER

This petition has been filed to direct the third respondent to consider the petitioner's representation dated 05.07.2025 and provide police protection to the petitioner's property.

2. It is the case of the petitioner that he has already filed a suit in OS.No.20 of 2016 for permanent injunction against the respondents 4 and 5, which has been decreed. The appeal filed against the same in A.S.No.22 of 2019 was also dismissed. Therefore, according to the petitioner, he is in possession of the property.

3. When the matter stood thus, the respondents 4 and 5 trespassed into the said property and also committed the theft of gold jewels. In this regard, the

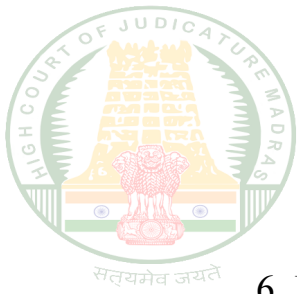


petitioner has given a complaint dated 05.07.2025, but no action has been taken

4. Heard the learned counsel appearing for the petitioner and the learned counsel for the first respondent 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 501** 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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6. Even as per the submission of the learned counsel for the petitioner, he already have the benefit of decree and judgment in his favour and if there is any violation, he can very well file an execution petition and enforce the decree.

As far as the complaint with regard to the trespass and theft of jewels, the Police shall enquire into the same and if any cognizable offence is made out, necessary action shall be taken as per law.

7. With the above direction, this petition is disposed of. No costs.

25-09-2025

pvs

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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