



WP.Crl.No.744 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 03.09.2025

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.Crl.No.744 of 2025

S.Ramurajan

.. Petitioner

Versus

1. The State rep by its
Inspector of Police
Seerkazhi Police Station
Mayiladuthurai District

2.C.Navaneedhan

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to provide necessary police protection to the petitioner and his property in RS.No.132/1B (T.S.No.5) admeasuring 3764 sq.ft., which is situated at Thiruvallur Nagar, 2nd Street, Seerkazhi Taluk, Mayiladuthurai District.

For Petitioner : Mr.P.Vijendran

For Respondents : Mr.R.Vinothraja for R1
Government Advocate (Crl.Side)

ORDER

This petition has been filed the 1st respondent to provide necessary police protection to the petitioner and his property in RS.No.132/1B (T.S.No.5)



WP.Crl.No.744 of 2025

admeasuring 3764 sq.ft., which is situated at Thiruvallur Nagar, 2nd Street,
Seerkazhi Taluk, Mayiladuthurai District.

2. This petition has been filed seeking police protection on the ground that despite the dismissal of suit filed by the second respondent for grant of permanent injunction and also conviction for the offences under Section 447 of IPC in a criminal case, still the petitioner is not allowed to continue in possession. Hence, seeks direction.

3. Mr.P.Vijendran, learned counsel for the petitioner submitted that the suit filed by the second respondent for bare injunction was dismissed as early as on 05.06.2018 in O.S.No.197 of 2012 on the file of the learned District Munsif, Sirkazhi and the second respondent was also convicted for the alleged criminal trespass for the offences under Section 447 of IPC, despite the same, still he is causing disturbance to the petitioner.

4. Whereas, the learned Government Advocate (Crl.Side) on instructions submitted that small portion around 500 sq.ft., is occupied by the second respondent long back, therefore, police protection cannot be permitted.

5. Heard the learned counsel for the petitioner and the learned



WP.Crl.No.744 of 2025

Government Advocate (Crl.Side) and perused the materials placed on record.

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6. Considering the nature of the submissions, it appears that second respondent is already in settled possession by encroaching the portion of the property and it is also substantiated by the petitioner's evidence in a criminal case in S.C.No.36 of 2016 on the file of the learned District and Sessions Judge, Mayiladuthurai, this Court is of the view that the petitioner shall work out his remedy by filing proper suit for recovery of possession and cannot seek police protection.

7. Accordingly, this petition stands disposed of. No costs.

03.09.2025

dhk

Index : Yes/No

Internet : Yes/No

To,

Inspector of Police
Seerkazhi Police Station
Mayiladuthurai District

N.SATHISH KUMAR, J.,



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WP.Crl.No.744 of 2025

dhk

W.P.Crl.No.744 of 2025

03.09.2025