



W.P.No.1250 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2025

CORAM:

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.1250 of 2023

T.Balaji

... Petitioner

Versus

1. The Deputy Commissioner of Police
Peravallur Circle, Chennai

2.The Inspector of Police
V-1, Villivakkam Police Station
Chennai

3.Dhakshyani
4.B.Seshathri
5.Sandiliyan

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation more particularly, the representation dated 14.10.2022 and give police protection for put up the compound wall to the property situated at S.F.No.368/1, T.V.Ammal Koil Street, Villivakkam, Chennai to an extent of 1827 sq.ft.,

For Petitioner : Mr.B.Kumarasamy

For Respondents : Mr.R.Vinothraja for R1 & R2
Government Advocate (Crl.Side)
Mr.G.Thyagarajan for R3, R4 & R5

ORDER



W.P.No.1250 of 2023

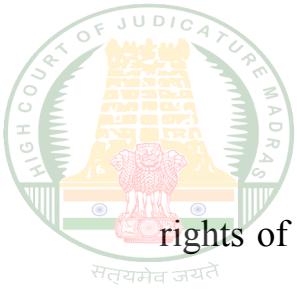
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The petitioner seeks police protection to erect the compound wall.

2. It is the case of the petitioner that the property has been originally purchased by the petitioner's grandfather on 17.01.1951. Thereafter, as the dispute arose between the respondent's father, the suit came to be filed in O.S.No.164 of 1956 for declaration and injunction which came to be decreed in favour of the petitioner's grandfather. On appeal, the same was confirmed. The respondent has filed a suit in O.S.No.3399 of 2009 for bare injunction and that suit was also dismissed and appeal also confirmed, therefore, according to him, he is in possession and enjoyment of the property. Hence, seeks for police protection.

3. Whereas, the learned counsel for the respondent submitted that though earlier suit was decreed in favour of petitioner's grandfather, after the suit has reached finality, the property has been sold to the respondent's father by virtue of sale deed dated 19.02.1959 in Doc.No.425/1959.

4. Considering the above, as there is some dispute with regard to the



W.P.No.1250 of 2023

rights of the parties, as a matter of right, merely on the basis of a judgment

and decree obtained prior to the sale in favour of the respondent in the year

1959, it cannot be now concluded that only the petitioner is in possession of

the property. Such view of the matter, I am not inclined to direct for police

protection, let the parties agitate their rights in the Civil Court.

5. Accordingly, this petition stands dismissed. No costs.

09.09.2025

dhk

Index :Yes/No

Internet:Yes/No

To

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Peravallur Circle, Chennai

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Chennai

N.SATHISH KUMAR, J.



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W.P.No.1250 of 2023

dhk

W.P.No.1250 of 2023

09.09.2025