



WEB COPY



W.P.No.39285 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2025

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No. 39285 of 2024

P.Valliyappan

Vs.

... Petitioner

1. The State of Tamil Nadu
Rep.by the Commissioner of Police,
Office of Commissioner of Police,
Elcot Sez, Karappakam, Elcot Sez,
Sholinganallur, Chennai,
Tamil Nadu – 600 119.
2. The State of Tamil Nadu,
Rep.by the Deputy Commissioner of Police,
Office of Deputy Commissioner of Police,
Tambaram Range, Chennai,
Tamil Nadu – 600 045.
3. The State of Tamil Nadu
Rep.by the Assistant Commissioner of Police,
Office of Assistant Commissioner of Police,
Pallavaram Range, Chennai,
Tamil Nadu – 600 043.
4. The State of Tamil Nadu
Rep.by the Inspector of Police,
Kundrathur Police Station,
Chennai, Tamil Nadu.



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5. Ponni
6. Gnambal

... Respondents

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Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondent Nos.1 to 4 to provide adequate police protection to the petitioner to enable him to take over the peaceful possession of his land viz., in Survey No.1234, Kundrathur Outer Ring Road, Kundrathur Village, Sri Perambathur, Kanchipuram District, Tamil Nadu.

For Petitioner : Mr.Thamizhanban N.

For Respondents : Mr.S.Sugendran
Additional Public Prosecutor
for R1 to R4

ORDER

This Writ Petition has been filed seeking issuance of Writ of Mandamus, to direct the respondent Nos.1 to 4 to provide adequate police protection to the petitioner to enable him to take over the peaceful possession of his land situated in Survey No.1234, Kundrathur Outer Ring Road, Kundrathur Village, Sri Perambathur, Kanchipuram District, Tamil Nadu.



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2. According to the petitioner, he is the absolute owner of the land situated in Survey No.1234, Kundrathur Outer Ring Road, Kundrathur Village, Sri Perambathur, Kanchipuram District, Tamil Nadu. On 15.08.2024, respondents 5 and 6 herein along with others trespassed into the petitioner's land and they have made an attempt to erect a fence in the said property. Therefore, the petitioner had submitted a detailed representation to respondents 1 to 3 on 18.09.2024 to take necessary action against respondents 5 and 6 herein and also lodged a complaint in C.S.R.No.782 of 2024 on 17.08.2024 before the fourth respondent. Since there was no response from respondents 1 to 4, the present petition has been filed.

3. It is seen from the records that there was a property dispute between the petitioner and respondents 5 and 6 herein, which is purely civil in nature. Therefore, this Court is not inclined to give any positive direction to the respondents/Police to provide Police Protection to the petitioner to enable him to take over the peaceful possession of his land. Further, the Writ Court cannot conduct roving enquiry regarding title, possession and rights of the property and it is for the petitioner to



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workout his remedy before the appropriate forum in the manner known to law.

4. Accordingly, this Writ Petition is dismissed. However, there shall be no order as to costs.

02.01.2025

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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To

1. The Commissioner of Police,
Office of Commissioner of Police,
Elcot Sez, Karappakam, Elcot Sez,
Sholinganallur, Chennai,
Tamil Nadu – 600 119.
2. The Deputy Commissioner of Police,
Office of Deputy Commissioner of Police,
Tambaram Range, Chennai,
Tamil Nadu – 600 045.



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3. The Assistant Commissioner of Police,
Office of Assistant Commissioner of Police,
Pallavaram Range, Chennai,
Tamil Nadu – 600 043.
4. The Inspector of Police,
Kundrathur Police Station,
Chennai, Tamil Nadu.
5. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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