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W.P.(Crl.) No.1071 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

W.P.(Crl.) No.1071 of 2025

Usha D

... Petitioner

Vs.

1. The District Collector
District Collectorate
Erode District – 638011
2. The Revenue Divisional Officer
Divisional Office
Erode District – 638 004
3. The Tahsildar
The Section of Land Survey and land records
Tahsildar's Office
Erode District – 638 001
4. The District Superintendent of Police
District Superintendent of Police's Office
Erode District – 638 001
5. The Inspector of Police
Karungalpalayam Police Station
Erode District – 638 003
6. Ravichandran

... Respondents

PRAYER : Writ Petition (Criminal) filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1 to 3rd respondents herein in considering petitioner's representation dated 15.09.2025 and direct the 4th and 5th respondent to provide police protection to conduct survey and fix the boundary stones in the property and Sub-



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divide above said Patta comprised in Patta No.517, Survey No.433/2, an extent of 0.34.00 hectares, situated at Erode Village, Erode Taluk, Erode District.

For Petitioner : M/s.P.Neelavathi
For Respondents 1 to 5 : Mr.R.Vinothraja
Government Advocate (Crl. Side)

ORDER

This Writ Petition (Criminal) has been filed to direct the respondents 1 to 3 herein to consider the petitioner's representation dated 15.09.2025 and direct the 4th and 5th respondents to provide police protection to conduct survey and fix the boundary stones in the property and also to sub-divide the Patta comprised in Patta No.517 in Survey No.433/2, an extent of 0.34.00 hectares, situated at Erode Village, Erode Taluk, Erode District.

2. According to the petitioner, the 7th respondent has encroached the subject property and in this regard he has given a complaint to the Tahsildar to conduct survey.

3. It is made clear that as far as immovable property is concerned, when there is a dispute over the same, as a matter of right, police protection cannot be granted particularly, when there is rival claim by the other side.

4. 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



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"PR.Muralidharan and others Vs.Swami Dharmananda Theertha Padar"

reported in **2006 4 SCC** as 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."

5. In view of the above, this Court is not inclined to entertain this petition.

6. Accordingly, this Writ Petition is dismissed.

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Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No



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6. The Public Prosecutor
High Court of Madras



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