



W.P.Crl.No.1266 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

W.P.(Crl.)No.1266 of 2025

V.M.Selvan Raj

... Petitioner

Vs.

1. The Superintendent of Police,
O/o. the Superintendent of Police,
Salem District Police Headquarters,
Nethimedu, Salem District – 636 004.
2. The Deputy Superintendent of Police,
Attur Sub-Division,
Salem District – 636 116.
3. The Inspector of Police,
Veeraganur Police Station,
Veeraganur Post, Thalaivasal Taluk,
Salem District – 636 116.
4. The Sub-Inspector of Police,
Veeraganur Police Station,
Veeraganur Post, Thalaivasal Taluk,
Salem District – 636 116.

... Respondents

PRAYER: Writ Petition (Criminal) is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or direction in the nature of writ, to direct the respondents to consider the petitioner's mail dated 27.07.2025 and 16.09.2025 and to grant police protection pertaining to the petitioner's asset.



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For Petitioner : Mr.D.Padmanaban

For Respondents : Mr.K.M.D.Muhilan
Additional Public Prosecutor

ORDER

The Writ Petition (Criminal) has been filed seeking a direction to the respondents to grant police protection by considering the petitioner's mail representations.

2. The case of the petitioner is that there has been constant disturbance from his neighbors, namely, Lenin, Gunasekaran, Kumar and Ramesh. Therefore, the petitioner sent several representations to the respondents seeking protection. However, the respondent Police have not given any protection to the petitioner. Hence, the present petition has been filed.

3. Learned Government Advocate (Criminal Side) submitted that the petitioner and the counter parties are close relatives and there exists a civil dispute between them with regard to the ownership of the property. Based on the petitioner's complaint dated 12.04.2025 alleging damage to the pipeline, a case in Crime No.47 of 2025 was registered against the said



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Lenin and three others, for the offence under Section 324 (2) of BNS.

Thereafter, on the complaints given by the petitioner, an enquiry was conducted and finding that the dispute is civil in nature and that a suit in O.S.No.234 of 2025 is also pending between the parties, they were directed to approach a civil Court vide proceedings dated 15.09.2025.

4. Heard both sides and perused the materials available on record.

5. In view of the above, this Court is of the view, when there is a rival claim by the opposite party, the practice of granting blanket police protection, especially in respect of immovable property without title being established, may lead to serious consequences. In this context, it is apropos to point out that the Hon'ble Apex Court, in **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. Accordingly, this Writ Petition (Criminal) stands closed. The petitioner is at liberty to work out the remedy before the civil Court in accordance with law. No costs

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Neutral Citation: Yes/No

To

1. The Superintendent of Police,
O/o. the Superintendent of Police,
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Nethimedu, Salem District – 636 004.
2. The Deputy Superintendent of Police,
Attur Sub-Division,
Salem District – 636 116.
3. The Inspector of Police,
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4. The Sub-Inspector of Police,
Veeraganur Police Station,
Veeraganur Post, Thalaivasal Taluk,
Salem District – 636 116.
5. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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