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WP CrI. No. 1573 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 08-12-2025**

CORAM

**THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA**

**WP (CrI.) No. 1573 of 2025  
and WPMP.CrI.No.755 of 2025**

1. T.Siva  
S/o,Thangavel, Palamaner Road,  
Lakshmana Puram Village, Sevur Post  
(Kallur), Gudiyatham Taluk.

Petitioner

Vs

1. The State Rep By The Inspector Of  
Police  
Gudiyattam Towm Police Station,  
Gudiyattam Vellore District.

2.Vijaya  
D/o, Subramani, Anjuman Stree Sakthi  
nagar Nadupet Gudiyattan Taluk,  
Vellore District.

3.Kotteesari  
D/o, Subramani, No.A-41 Veera Sivaji  
Street Marati Street, Nadupet,  
Gudiyattem, Vellore.

Respondent(s)

**PRAYER**

Writ Petition (CrI) filed under Article 226 of the Constitution of India, praying  
to direct the 1st respondent to give police protection on the cost of the petitioner  
to do BOOMI POOJA Function on 28.11.2025 and after to construct a House



and shops in his property situated at town old survey no.588 new survey no.588/10B at Kannagi street@ Thattara street in old door No 40 and new door No 39 in ward 3 Block 8 at Nadupet, Gudiyattam, on the basis of my representation dated 12.11.2025 without any hindrance of the neighbours or their agents and relatives on the basis of my representation date 21.11.2025 and pass such further or other orders.

For Petitioner: Mr.G.Shankar B.Lenin Balu

For Respondent: Mr.S.Santhosh  
Government Advocate (Criminal Side)

### **ORDER**

This writ petition (criminal) has been filed seeking a direction to the 1st respondent to give police protection at the petitioner's cost to do BOOMI POOJA Function on 28.11.2025 and thereafter to construct house and shops in his property situated at Town old survey No.588, New survey No.588/10B at Kannagi Street@ Thattara street in old door No 40 and new door No 39 in ward 3 Block 8 at Nadupet, Gudiyattam, on the basis of his representation dated 12.11.2025 without any hindrance of the neighbours or their agents and relatives on the basis of representation dated 21.11.2025.

2. Learned counsel for the petitioner would submit that the petitioner purchased the above mentioned property from one Nazeer Basha. When the petitioner attempted to clear the place for conducting Boomi Pooja, he was



disturbed by the counter parties. Therefore, the petitioner has given a complaint on 12.11.2025 to the respondent and also given another representation dated 21.11.2025 seeking police protection. Hence, for a direction to the 1<sup>st</sup> respondent to give police protection, the present Writ Petition (Criminal) has been filed.

3. The learned Government Advocate (Criminal Side) would submit that based on the complaint given by the petitioner, enquiry was conducted in CSR.No1559 of 2025. Even as per the complaint of the petitioner, there is a rival claim by respondents 2 and 3; so, on account of rival claim, parties may be relegated to approach the civil court. However, in the event of any disturbance of law and order, the respondent will take action.

4. Heard learned counsel on either side and perused the materials available on record.

5. 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:



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*"...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."*

6. Recording the submission of the learned Government Advocate (Criminal Side), this writ petition (criminal) stands disposed of. The petitioner is at liberty to work out his remedy before the civil Court in accordance with law.  
No costs.

**08-12-2025**

nvsri

Neutral Citation: Yes/No

To

1. The Inspector Of Police  
Gudiyattam Town Police Station,  
Gudiyattam Vellore District.

2. The Public Prosecutor, High Court, Madras.



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**A.D.JAGADISH CHANDIRA J.**

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