



W.P.Crl.No.1531 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2025

CORAM:

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

W.P.(Crl.)No.1531 of 2025

Sellammal

... Petitioner

Vs.

1. The Superintendent of Police,
Salem District,
Salem.

2. The Inspector of Police,
Gangavalli Police Station,
Salem District.

3 Balasubramaniam

4. Geetha

... 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 respondents 1 and 2 to give police protection to the petitioner, her family members and workers to peacefully carry out the



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cultivation activities in their property measuring an extent of 1 acre 55 cents
comprised in S.No.594/2 present S.No.594/2A situated at Naduvalur
Village, Gangavalli Taluk, Salem District, by considering the petitioner's
representation dated 20.11.2025.



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For Petitioner : Mr.R.Jayaprakash

For Respondents : Mr.S.Santhosh

Government Advocate (Criminal Side)

ORDER

The Writ Petition (Criminal) has been filed seeking a direction to respondents 1 and 2 to grant police protection to the petitioner, her family members and workers to carry out cultivation activities in her property, by considering the petitioner's representation dated 20.11.2025.

2. The case of the petitioner is that respondents 3 and 4 have been constantly disturbing and threatening her by using their henchmen and by taking advantage of the drinking habit of the petitioner's husband, they are attempting to unlawfully grab the properties belong to the petitioner and her family. It is further alleged that they are trying to put up huts on the petitioner's property in order to create an impression of being in possession of the same. Therefore, the petitioner sent a representation to the respondent



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Police seeking protection. However, since the respondent Police have not

taken any action, the present petition has been filed.

3. Learned Government Advocate (Criminal Side) submitted that a dispute exists between the petitioner and the private respondents with regard to the ownership of the subject property and civil suits are also pending between them.

4. Having heard the learned counsel appearing on either side and upon perusal of the materials available on record, this Court is of the view that 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,



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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."

5. 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

02.12.2025

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Neutral Citation: Yes/No

To

1. The Superintendent of Police,

5/8



Salem District,
Salem.

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2. The Inspector of Police,
Gangavalli Police Station,
Salem District.
3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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