



W.P.(MD)No.716 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2025

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THE HON'BLE MR.JUSTICE P.DHANABAL

W.P.(MD)No.716 of 2025

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... Petitioner

Vs.

1. The Superintendent of Police
Office of the Superintendent of Police
Dindigul District
2. The Deputy Superintendent of Police
Vedasandoor Sub Division
Dindigul District
3. The Sub Inspector of Police
Eriodu Police Station
Eriodu, Dindigul District
4. The Tahsildhar
Vedasandoor Taluk Office
Vedasandoor, Dindigul District
5. The Village Administrative Officer
Paganathan Village Panchayat
Paganatham, Vedasandoor Taluk
Dindigul District

6. Alagarsamy

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, seeking a **Writ of Mandamus directing** the respondents 1 to 3 herein to provide adequate police protection to the petitioner's life and limb and also at the time of construction of the petitioner's house in his property comprised in Natham S.No.1103/27 situated at Pahanatham Village, Vedaandoor Taluk, Dindigul District based on the petitioner's representation dated 16.12.2024 within the time stipulated by this Court.

For Petitioner : Mr.T.Manikandan

For Respondents : Mr.M.Sakthi Kumar
No. 1 to 3 Government Advocate(Crl.Side)

ORDER

The prayer sought for in the present writ petition is to direct the the respondents 1 to 3 herein to provide adequate police protection to the petitioner's life and limb at the time of construction of the petitioner's house in his property comprised in Natham S.No.1103/27 situated at Pahanatham Village, Vedaandoor Taluk, Dindigul District based on the petitioner's representation dated 16.12.2024 within the time stipulated by this Court.



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2. According to the petitioner property comprised in Natham Survey No.1103/27 situated at Pahanatham Village, Vendasandoor Taluk Dindigul District belongs to him and he is in continuous possession of the said property. Based on the continuous possession the fourth respondent has granted patta in his favour. Whiles, the sixth respondent without any valid reasons making attempts to trespass into the property. The petitioner also filed Writ Petition before this Court in W.P(MD) No.9051 of 2023 seeking direction to direct the fourth respondent to issue patta in his favour in respect of the property comprised in Survey No.1103/27 situated at Pahanatham Village, Vendasandoor Taluk Dindigul District and this Court vide order dated 05.06.2023 has directed the fourth respondent to take necessary action and issue patta in favour of the petitioner and thereafter patta was granted in favour of the petitioner through proceedings No. H.S.No. 013/2023-2024, dated 19.09.2023 and therefore the petitioner is the absolute owner of the property. The sixth respondent is no way connected with the property and he is in possession of the property in S.No. 1103/7 Whiles, the petitioner has sent a detailed representation



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on 16.12.2024 for which CSR No.756 of 2024 was assigned and no action has been taken, hence he has filed the present petition for police protection.

3. The learned Government Advocate(Crl.Side) appearing for the respondents 1 to 3 would submit that there is a dispute in respect of property and therefore the representation of the petitioner for police protection cannot be considered. However the representation of the petitioner dated 16.12.2024 was considered and the same was closed by directing the parties to approach the civil Court for appropriate remedy, hence the petition is liable to be dismissed.

4. The learned counsel appearing for the sixth respondent also disputed the title of the property and therefore the disputed facts cannot be disposed of by way of writ petition, since there is a dispute in respect of property. It is for the parties to approach the appropriate forum and declare their title in accordance with law.

5. It is well settled law that so far as police protection in respect of



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property is concerned unless the parties have any executable decree in their favour, this Court cannot give police protection. In the present case also there is no any valid decree passed by the competent Court in favour of the petitioner in respect of the petitioner and there is dispute between the parties. Therefore it is not proper to consider the prayer of the petitioner in his favour.

6. In view of the same, the Criminal Original Petition stands dismissed. If the petitioner is affected by any criminal activities of the sixth respondent it is for him to approach appropriate forum in accordance with law.

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NCC : Yes / No
Index : Yes / No
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To

1. The Superintendent of Police
Office of the Superintendent of Police
Dindigul District
2. The Deputy Superintendent of Police
Vedasandoor Sub Division, Dindigul District
3. The Sub Inspector of Police
Eriodu Police Station



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Eriodu, Dindigul District

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4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P.DHANABAL, J.

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