



W.P(MD)No.4354 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2025

CORAM :

THE HON'BLE MR.JUSTICE P.DHANABAL

W.P(MD)No.4354 of 2025

Karthika

... Petitioner

Vs

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

2. The Inspector of Police,
Palani Town Police Station,
Dindigul District.

3. Karuppasamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st respondent to direct the 2nd respondent to take necessary action against the 3rd respondent and give police protection to the petitioner for the life and limb threatening given by the 3rd respondent and consider the petitioner representation in CSR No.1132 of 2023 dated 01.09.2023 and the order of the High Court in WP(MD).No.29496 of 2024 dated 09.12.2024 within the period stipulated by this Court.



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For Petitioner : Mr.T.Ramasamy,

For R1 & R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Writ Petition has been filed seeking a direction to the second respondent to take necessary action as against the third respondent and give police protection to the petitioner for the threat made by the third respondent and also consider the representation, dated 01.09.2023 in C.S.R.No.1132 of 2023.

2.The learned Counsel for the petitioner would submit that the petitioner is the owner of the property in S.No.68 to an extent 904 Sq.Ft with the tiled house situate at Adivaram, Palani District, through registered sale deed, dated 07.03.2021. While so, after the death of the husband of the petitioner, one Karuppasamy causing disturbance to the enjoyment of the property thereby, she lodged a complaint before the second respondent on 20.12.2022, for which, C.S.R.No.365 of 2022 was



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assigned and thereafter, on 01.09.2023, again she lodged a complaint before the second respondent, for which, C.S.R.No.1132 of 2023 was assigned and then, the respondent police have called the third respondent for enquiry. During the enquiry, the third respondent has not produced any documents in his favor and he is the trespasser and illegally occupied the property of the petitioner. But the respondent police has not taken any action against the third respondent. Thereafter, the petitioner has filed a writ petition in W.P(MD)No.29496 of 2024 and the same was ordered on 09.12.2024 with a direction to the petitioner to appear before the respondent police for enquiry. Based on that, an enquiry was conducted on 17.12.2024 and the second respondent also assured to take action against the third respondent since he is the encroacher. But no action was taken. Hence this petition has been filed.

3.The learned Additional Public Prosecutor appearing for the respondent police would submit that already the petitioner has filed a petition in W.P(MD)No.29496 of 2024. As per the order passed by this Court, the respondent police have conducted the enquiry and closed the matter. Again, the petitioner sent a representation, for which, C.S.R.No. 1132 of 2023 was assigned and the same was also closed after



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conducting enquiry by advising the parties to approach the competent civil court. Therefore, nothing survives for adjudication in this matter.

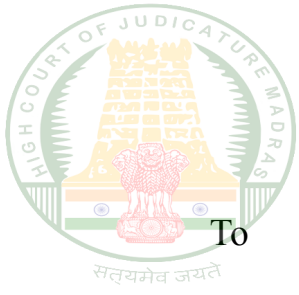
4.Considering the limited scope of prayer sought for in this petition, this Court without issuing notice to the third respondent, is inclined to pass order in this petition.

5.Since the C.S.R.No.1132 of 2023 has already been closed by the second respondent as civil in nature, nothing survives for further adjudication in this matter. Accordingly, this Writ Petition is closed. If the petitioner is aggrieved by the closure of the complaint, she can approach the appropriate forum in the manner known to law.

19.02.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No

LR



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To

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1. The Superintendent of Police,
Dindigul District,
Dindigul.
2. The Inspector of Police,
Palani Town Police Station,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

LR

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