



W.P(MD)No.7742 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 21.03.2025

CORAM :

THE HON'BLE MR.JUSTICE P.DHANABAL

W.P(MD)No.7742 of 2025

Irudhaya Doss

... Petitioner

Vs

1.The Commissioner of Police,
Madurai City Police,
Madurai.

2.Inspector of Police,
K.Pudhur Police Station,
Madurai City Police,
Madurai.

3.Radha @ Radhakrishnan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the 1st and 2nd respondents to provide adequate police protection to the petitioner's based on the representation of the petitioner dated 06.04.2022 so as to enable them to enjoy, possess and to compound the subject property more specifically the property in Door No.6, situated at Matha Kovil Street, K.Pudur, Madurai District, on the strength of the judgments rendered by this Court.



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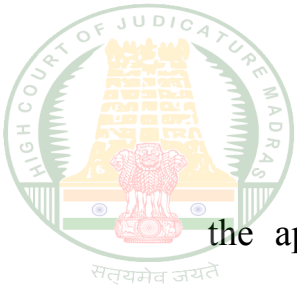
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For Petitioner : Mr.S.Ramesh
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Writ Petition has been filed to direct the 1st and 2nd respondents to provide adequate police protection to the petitioner's based on the representation of the petitioner dated 06.04.2022 so as to enable them to enjoy, possess and to compound the subject property more specifically the property in Door No.6, situated at Matha Kovil Street, K.Pudur, Madurai District, on the strength of the judgments rendered by this Court.

2.The learned counsel for the petitioner would submit that the petitioner is the owner of the property in Door No.6, situated at Matha Kovil Street, K.Pudur, Madurai District and the third respondent has filed a suit in OS No. 88 of 2010 on the file of II Additional Sub Court, Madurai in respect of the property and the same was decreed in favour of the third respondent. Thereafter, the petitioner has preferred an appeal in AS No.5 of 2015 and other parties have also preferred appeal in AS Nos. 9 and 32 of 2015 on the file of Principal District Court, Madurai and all



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the appeals were allowed by dismissing the suit filed by the third respondent on 13.04.2018. Thereafter, the third respondent has preferred second appeal before this Court in SA(MD). Nos. 590, 591 and 592 of 2020 and all the appeals were dismissed on 01.03.2022. Thereafter, third respondent has preferred S.L.P. before the Apex Court in S.L.P.(c) Nos. 9554 to 9556 of 2022 and the same were dismissed by the Hon'ble Supreme Court on 12.07.2022 at the stage of admission itself. Therefore, the title of the property was confirmed in favour of the petitioner. While so, the third respondent has caused obstruction, when the petitioner tried to construct a compound wall, thereby, the petitioner has sent a representation on 06.04.2022 and the same was not considered. Hence, this petition.

3.The learned Additional Public Prosecutor appearing for the respondent police would submit that the representation of the petitioner was considered and closed on 19.10.2024, therefore, nothing survives for further adjudication.

4.At this juncture, the learned counsel for the petitioner would submit that since the earlier representation was filed by the petitioner



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during S.L.P., now liberty may be granted to file a fresh representation seeking police protection.

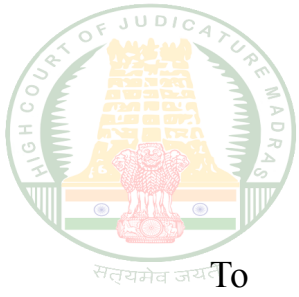
5.Since the dispute between the parties were already settled by the Courts through Judgments, it is for the petitioner to approach the second respondent seeking for police protection, in the manner known to law. If any such application is filed by the petitioner, the second respondent has to conduct enquiry after affording opportunity to both parties and take appropriate decision in accordance with law.

6.With the above observations and direction, this Writ Petition is disposed of.

21.03.2025

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

PNM



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- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
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P.DHANABAL, J.

PNM

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