



W.P(MD)No.9535 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2025

CORAM :

THE HON'BLE MR.JUSTICE P.DHANABAL

W.P(MD)No.9535 of 2025

Abdullah M

... Petitioner

Vs

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

2. The Inspector of Police,
K.Pudur Police Station,
Madurai City.

3. A.Mydeen Madhar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing to the Respondents No.1 and 2 to give adequate police protection to the petitioner to carry the repair work in the house located in Door No.5 Karpaga Vinayagar Colony 3rd street K.Pudur, Madurai Town based on the petitioner's representation dated 10.03.2025.



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For Petitioner : Mr.R.Arun Kumar

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

ORDER

This Writ Petition has been filed seeking a direction to the respondents 1 and 2 to give adequate police protection to the petitioner to carry out repair work in the house located in Door No.5 Karpaga Vinayagar Colony, 3rd street K.Pudur, Madurai Town based on the petitioner's representation dated 10.03.2025.

2.The learned Counsel for the petitioner would submit that the third respondent is the son of the petitioner and there is a dispute between the petitioner and the third respondent in respect of the property originally belongs to the petitioner. He would further submit that already a suit in O.S.No.559 of 2010 was filed before the District Munsif Court, Madurai and the same was decreed in favour of the third respondent, thereafter the petitioner preferred an appeal in A.S.No.16 of 2024 and the same was dismissed, as against which, the petitioner filed second appeal



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in S.A(MD)No.128 of 2024, which was also dismissed. Now the petitioner's property is in dilapidated condition, when he tried to repair the same, the private respondent restrained him. Therefore, the petitioner sent the representation dated 10.03.2025, but the same has not been considered. Hence this petition.

3.The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner is none other than the father of the third respondent, there is a dispute between the parties and the third respondent already filed a suit before the civil court and the same was disposed as against the petitioner. Therefore, the petitioner's representation was already considered and closed.

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

5.According to the petitioner, the said property belongs to him and now the property is in dilapidated condition. Therefore, he wanted to do the repair work and the same was restrained by the third respondent.



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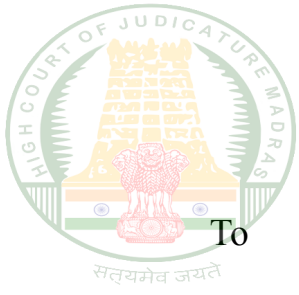
Therefore, he sent the representation, dated 10.03.2025, but the same has not been considered. According to the respondents 1 and 2, already the dispute was taken up to High Court and the third respondent obtained decree in his favour. While so, the petitioner sent the present representation and the same was already considered and closed.

6.Since the petitioner's representation was already considered and closed and the third respondent also got decree in his favour, the petitioner is not entitled to police protection. However, the petitioner can approach the appropriate forum seeking appropriate remedy in accordance with law.

7.With the above observations and direction, this Writ Petition is closed.

07.04.2025

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



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To

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1. The Commissioner of Police,
Madurai City,
Madurai.
2. The Inspector of Police,
K.Pudur Police Station,
Madurai City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

LR

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