

W.P(MD)No.11056 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2025

CORAM :

THE HON'BLE MR.JUSTICE P.DHANABAL

W.P(MD)No.11056 of 2025

and

W.M.P(MD)No.8239 of 2025

Valavanthan

... Petitioner

Vs

**1. The Superintendent of Police,
Tenkasi District,
Tenkasi.**

**2. The Inspector of Police,
Karivalamvanda Nallur,
Sankarankovil Taluk,
Tenkasi District,
Tenkasi.**

3. Ramar

4. Chinnadurai

5. Malaichami

6. Nesammal

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of



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India, praying this Court to issue a Writ of Mandamus, directing these respondents 1 and 2 by providing enough protection to this petitioner and his family members of their properties and for their life and limbs from the respondents 3 to 6, by following the Judgment and Decree dated 03.11.2010 in OS No.157/2010, on the file of Principal District Munsif Court, Sankarankovil.

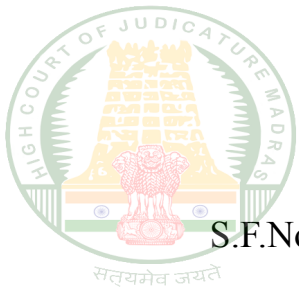
For Petitioner : Mrs.S.Ananthi

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 provide protection to the petitioner and his family members and their properties and for their life and limbs from the respondents 3 to 6, on the basis of the judgment and decree, dated 03.11.2010 in OS No.157 of 2010, rendered by the Principal District Munsif Court, Sankarankovil.

2.According to the petitioner, he is the owner of the property in



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S.F.No.797 to an extent of 44 cents out of 1.88 acre at Kaarisathan Revenue Village, Thiruvengadam Taluk, Tenkasi District and also having common right over a well with motor pump set. While so he filed a suit in O.S.No.157 of 2010, before the Principal District Munsif Court, Sankarankovil as against the father of the private respondents and the same was decreed in favour of the petitioner. But the legal heirs (private respondents herein) of the defendants even after knowing the decree, without obeying the Court order, causing obstruction to the petitioner from taking water in the well. Therefore, the petitioner lodged a complaint before the second respondent for police protection, but no action was taken. Hence this petition.

3.The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner's representation was enquired and closed on 30.03.2025.

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



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5. According to the petitioner, he is the decree holder for the property through suit in O.S.No.157 of 2010, on the file of the Principal District Munsif Court, Sankarankovil and the private respondents even after the decree was passed against their father, they are causing disturbance and thereby, he sent the representation to the police, but the same has not been considered. The second respondent also admitted the receipt of the petitioner's representation and closed the same after enquiry.

6. Therefore, nothing survives for adjudication in this case. However, if the private respondents indulge in any criminal activities by breaching the decree passed in O.S.No.157 of 2010, on the file of the Principal District Munsif Court, Sankarankovil, the petitioner is at liberty to lodge a specific complaint in accordance with law.

7. With the above observations and direction, this Writ Petition is disposed of. Consequently, the connected miscellaneous petition is closed.

21.04.2025

Internet : Yes
Index : Yes/No



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NCC
LR

:Yes/No

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To

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

2. The Inspector of Police,
Karivalamvanda Nallur,
Sankarankovil Taluk,
Tenkasi District,
Tenkasi.

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



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P.DHANABAL, J.

LR

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