



W.P(MD) NO.11996 of 2025

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

WEB COPY

**DATED : 25.04.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE P.DHANABAL**

**W.P(MD) No.11996 of 2025**

Muthukulithurai Bharadhar Nala Sangam,  
Rep. by its General Secretary J.Kanagaraj

... Petitioner

Vs

1. The Revenue Divisional Officer  
Thoothukudi.

2. The District Superintendent of Police,  
Thoothukudi District.

3. The State of Tamil Nadu,  
Rep. by its Inspector of Police,  
South Police Station,  
Thoothukudi.

4. The Secretary,  
Tuticorin Diocesan Association,  
Catholic Bishop's House,  
Thoothukudi District.

5. Annai Bharadhar Nala Sangam,  
Rep. by its General Secretary Castro

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of Constitution of India



W.P(MD) NO.11996 of 2025

to issue a Writ of Mandamus to direct the official respondents 1 to 3 to give adequate police protection for the smooth administration of the society and thereby, forbear unlawful actions and disturbance caused by the fifth respondent and his hench men to the administration of the petitioner society.

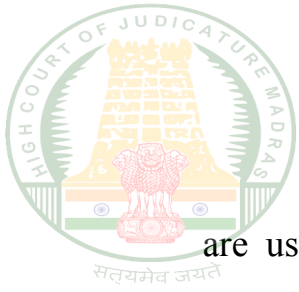
|                |                                                               |
|----------------|---------------------------------------------------------------|
| For petitioner | :Mr. A.Arun Ramnath                                           |
| For R1         | :Mr.M.Senthil Ayyanar,<br>Government Advocate                 |
| For R2 & R3    | : Mr.R.M.Anbunithi<br>Additional Public Prosecutor (Crl.Side) |
| For R5         | : Mr.B.Anandan                                                |

\*\*\*\*\*

### **ORDER**

This petition is filed to direct the official respondents 1 to 3 to give adequate police protection for the smooth administration of the society and thereby, forbear unlawful actions and disturbance caused by the fifth respondent and his hench men to the administration of the petitioner society.

2. The learned counsel for the petitioner would submit that the property in D.Nos.40/9 & 40/10, South Beach Road, Thoothukudi, belongs to the fourth respondent. For more than a decade, the petitioners

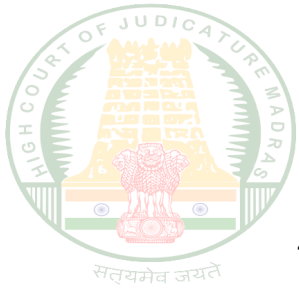


W.P(MD) NO.11996 of 2025

WEB COPY

are using the property as a tenant. For the period from 25.05.2024 to 24.04.2025, an agreement was entered between the fourth respondent and the petitioner. While so, few years back, some people left from the society and started a society, namely, 'Annai Bharadhar Nala Sangam'. While registering the said society, the then members have received the fourth respondent and obtained a false NOC from them and registered the society fraudulently by citing the petitioner's society address. Since the administration was disturbed by the fifth respondent, the petitioner has filed a suit for injunction against the fifth respondent and the same is pending. In spite of the order passed by the first respondent, the fifth respondent had broken down the lock of the petitioner's society building and a complaint was also lodged in this regard. The petitioner administration decided to conduct a meeting on 16.04.2025 and sought for police protection, but the same was not considered. The petitioner has been disturbed by the fifth respondent. Therefore, they filed this petition.

3. The learned Government Advocate for the first respondent would submit that already they passed an order on 05.03.2025 under Section 164 of BNSS after hearing both the parties.



W.P(MD) NO.11996 of 2025

4. The learned Additional Public Prosecutor (Crl.Side) for the respondents 2 and 3 would submit that already there was a dispute pending between the petitioner and the private respondents. Thereby, civil cases are pending and the first respondent also passed an order after hearing both the parties on 05.03.2025. Now, the petitioner sent a representation dated 09.04.2025 and the same is pending for enquiry and they will conduct enquiry and take appropriate action in accordance with law.

5. The learned counsel for the fifth respondent would submit that originally, the fifth respondent is in possession and enjoyment of the property and civil cases are also pending as against the order passed by the first respondent dated 05.03.2025. Therefore, the police protection for the disputed property cannot be granted. Hence, he prays to dismiss the petition.

6. Considering the prayer sought for in this petition and already the first respondent passed an order and the same is under challenge and there is a dispute pending between the petitioner and the fifth respondent in respect of the administration of the society and the representation of the



W.P(MD) NO.11996 of 2025

petitioner is also pending with the third respondent, this Court, recording the abovesaid submission, directs the third respondent to consider the representation of the petitioner dated 09.04.2024 and take appropriate action in accordance with law, after affording opportunity to both the parties within a period of one month from the date of this order.

7. With the abovesaid observations and directions, this Writ Petition is disposed of. No costs.

**25.04.2025**

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

To

1. The Revenue Divisional Officer  
Thoothukudi.
2. The District Superintendent of Police,  
Thoothukudi District.
3. The Inspector of Police,  
South Police Station,  
Thoothukudi.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.



WEB COPY



W.P(MD) NO.11996 of 2025

**P.DHANABAL,J**

apd

**W.P.(MD) No.11996 of 2025**

**25.04.2025**