



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

W.M.P.Crl(MD) No.185 of 2025

in

Rev.APLWP CRL(MD)SR.No.24260 of 2025

V.Aruvugaraja

Applicant(s)

Vs

1. The State Represented by,
The Superintendent of Police,
Madurai District.

2. The Inspector of Police,
Karuppayurani Police Station,
Madurai District.

3. R.Arun Vignesh

PRAYER: This petitioner has been filed under Order 47 Rule 1 & 2 r/w Section 114 of Civil Procedure Code, to condone the delay of 104 days in filing this Review Petition against order passed in W.P(M.D)No.7354 of 2025, dated 19.03.2025, passed by this Court, pending the disposal of the present review petition.

For Petitioner:

Mr.K.R.Laxman

For Respondents

R1 & R2- No appearance

Ms.R.Vidhya for R3

ORDER

This petition has been filed by the review petitioner to condone the delay of 104 days in filing this Writ Miscellaneous Petition against the order passed in W.P(M.D)No.7354 of 2025, dated 19.03.2025.



2. According to the review petitioner, the 3rd respondent herein has filed a writ petition in W.P.(MD)No.7354 of 2025, seeking writ of mandamus, directing the respondents to consider the writ petitioner's representation dated 22.01.2025. In the said representation, without any title over the subject properties, the 3rd respondent herein, lodged a complaint before the police and by taking advantage of the order passed by this Court, the respondents police decided the title of the subject property and disturbing the petitioner herein. Therefore, the review petitioner has filed the present petition with delay of 104 days.

3. According to the third respondent, this Court has not decided the title of the property and the 3rd respondent has filed the aforesaid writ petition, seeking a direction to the respondents police to consider the representation dated 22.01.2025 and to provide adequate police protection to the petitioner and his family members life and limb. This Court on 19.03.2025, recorded the submission made by the learned Additional Public Prosecutor for the respondents police, that the petitioner's representation is under consideration and he assured to complete the enquiry, within fifteen days, and this Court also directed the 2nd respondent to conduct an enquiry and dispose of the representation dated 22.01.2025, within a period of fifteen days from the date of receipt of a copy of the order, after affording opportunities to both the parties, in accordance with law. The review petitioner has not stated any proper reasons for huge delay of 104 days.



4. Heard both sides and perused the materials available on record.

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5. This Court passed an order in W.P.(MD)No.7354 of 2025 dated 19.03.2025, filed by the 3rd respondent herein, seeking writ of mandamus to direct the respondent police to consider his representation dated 22.01.2025 and to provide adequate police protection for his family members life and limb.

6. This Court after considering the limited relief sought by the petitioner, without issuing notice to the 3rd respondent therein, who is review petitioner herein, directed the police concerned to conduct enquiry on the representation dated 22.01.2025 and dispose of the same, after affording an opportunity to both the parties. The order does not mean that the police concerned was authorised to decide the title of the subject property. It is made clear that the respondents police was directed to conduct an enquiry on considering the representation dated 22.01.2025 and to pass orders in respect of police protection. Apart from that, this Court has not touched upon the rights of the parties in respect of the subject property in the said order.

7. According to the review petitioner, taking advantage of the order dated made in W.P.(MD).No.7354 of 2025 dated 19.03.2025, the respondents police are trying to vacate the review petitioner and disturbing his possession. This Court has not decided anything about the rights and possession of the subject properties. Therefore, the order made in W.P.(MD)No.7354 of 2025, dated 19.03.2025 is not



authorising the respondent police to decide the rights and possession of the properties and the police ought to have decided as to whether the writ petitioner is entitled for police protection or not.

8. With the above said clarification, there is no need to review the order dated 19.03.2025 and also no sufficient cause shown for condone the delay of 104 days in filing this review petition. Hence, both the Writ Miscellaneous Petition and the Review application in SR itself are disposed of accordingly. No costs.

04-12-2025

Jd
Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No



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P.DHANABALU J.
jd

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