



W.P. CrI(MD)No.915 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2025

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CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.CrI.(MD)No.915 of 2025 and
WMP(MD) No.247 of 2025

A. Thiraviyam

... Petitioner

Vs

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

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

3.Mahalingam

4.Priyadharshini

...Respondents

(R4 is impleaded as per the order of this Court in WMP.CrI.(MD) No.915 of 2025, dated 13.08.2025)

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 give police protection to the petitioner for fencing the land measuring 94 cents comprised in S.No.70/9A at Kongar Puliyanakulam Village, Thirumangalam Taluk, Madurai District, by considering the petitioner's representation, dated 05.07.2025.



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W.P. CrI(MD)No.915 of 2025

For Petitioner : Mr.S.Pandiyaraj,
For R1 & R2 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor
For impleading
Petitioner : Mrs.B.Bhuaneswari

ORDER

The petitioner claims that he is the owner of the property in S.No.70/9A, Kongar, Puliyanikulam Village, Thirumangalam Taluk, Madurai District. He said to have purchased this property on 09.06.2025, by way of a registered document in Doc.No.871/2025. Originally the above property belonged to the third respondent herein and he has sold the same to one Palraj and the said Palraj has executed a settlement infavour of his sons, namely, P.Ashok kumar and P.Balachandrapandi on 08.11.2024. The petitioner has purchased the above property from them/the sons of the said Palraj. When the petitioner made an attempt to fence his property, the third respondent has prevented him from putting up the fencing and therefore, this petitioner has submitted an application before the respondent police, seeking police protection and filed this petition.



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2.Mrs.B.Bhuaneswari, learned counsel seeks permission of this Court to file an impleading application to implead the daughter of the third respondent. According to the learned counsel, the third respondent, without the knowledge of her daughter, has sold the subject property. According to the impleading petitioner, she is the daughter of first wife of the third respondent. She also states that a suit has been filed by the impleading petitioner before the Sub Court, Tirumangalam and the same is pending in O.S.No.72 of 2025. She further submits that she has also filed an application seeking injunction.

3.The learned counsel for the petitioner submits that he is not aware of the suit filed by the impleading petitioner and he has not been added as a party to the suit. Thereafter, on knowing that he has filed an application to implead him as a party to that proceedings.

4.This Court considered the rival submissions made and also perused the materials placed on record.



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W.P. CrI(MD)No.915 of 2025

5.The petitioner claims that he has purchased the subject property through the vendors of the third respondent. The impleading petitioner claims that she is the daughter of the first wife of the third respondent and it is their ancestral property. It is also reported that a civil suit is pending with regard to the subject property.

6.In view of the above, this Court is not inclined to entertain this writ petition. Accordingly, this writ petition is dismissed. **WMP(MD) No.247 of 2025 filed by the impleading petitioner is ordered.** It is upto the respective parties to approach the competent civil Court to obtain the relief for injunction. In the event, if an order of injunction is not granted within a period of six months, then the respondent police is directed to provide necessary police protection to the petitioner to fence his property. No costs.

13.08.2025

Index:Yes
Internet:Yes



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- 2.The Inspector of Police,
Checkanurani Police Station,
Madurai District.



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B.PUGALENDHI, J.

vrn

Order made in
W.P.CrI.(MD)No.915 of 2025 and
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13.08.2025