



W.P.Crl.(MD)No.1273 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

W.P.Crl.(MD).No.1273 of 2025

and

W.M.P.Crl.(MD).No.336 of 2025

R.Maripandi

... Petitioner

Vs.

1.The Superintendent of Police,
Thoothukudi District.

2.The Deputy Superintendent of Police,
Vilathikulam Police Station,
Thoothukudi District.

3.The Inspector of Police,
Pudur Police Station,
Vilathikulam Taluk,
Thoothukudi District.

4.Puthur Therku Muthiyapuram,
Kulattankurichi Hindu Nadar Uravinmurai Kalvi Sangam,
Pudur,
Vilathikulam Taluk,
Registration Number : 3/2005.

5.Sermathurai

6.Solairaj

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd and 3rd respondents to give adequate police protection to open/run the petitioner's shop no.99 situated at Anna Nedunchalai, Arupukkottai Road, Pudur, Vilathikulam Taluk, Thoothukudi District and consequently to take action on petitioner's complaint dated 14.08.2025 pending on the file of the second and third respondents within the time stipulated by this Court.

For Petitioner : Mr.P.Sujai Krishna
For R-1 to R-3 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The petitioner has sought for a direction to the respondents 2 and 3 to give adequate police protection to open/run his shop at Anna Nedunchalai, Arupukkottai Road, Pudur, Vilathikulam Taluk, Thoothukudi District and consequently, to take action on petitioner's complaint dated 14.08.2025.

2. According to the petitioner, he had suffered a decree and an execution petition was filed in E.P.No.3 of 2023 before the Munsif Court, Vilathikulam; that even before final orders were passed in the Execution Petition, the respondents 5 and 6/decree holders had locked the premises; and that therefore, the petitioner is entitled to open the premises and sought for police protection for the same.



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3. The learned Additional Public Prosecutor, on instructions, would submit that on the complaint given by the petitioner, an enquiry was conducted and in fact, the petitioner had written a letter to the respondent Police stating that since the matter is pending before the Execution Court, he would seek further remedy before the said Court.

4. Admittedly, proceedings to evict the petitioner is pending before the Execution Court. In such circumstances, the respondents cannot provide police protection on the premise that the petitioner was wrongfully evicted. Hence, a Writ as prayed for cannot be issued. However, it is needless to say that if the respondents 5 and 6 had taken possession without any valid order, the petitioner may seek appropriate remedy before the Civil Court.

5. With the above observations, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

09.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm



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To

- 1.The Superintendent of Police,
Thoothukudi District.
- 2.The Deputy Superintendent of Police,
Vilathikulam Police Station,
Thoothukudi District.
- 3.The Inspector of Police,
Pudur Police Station,
Vilathikulam Taluk,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Lm

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