



W.P(MD)No.27404 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.27404 of 2024

S.Eswari

... Petitioner

Vs.

1.The Commissioner of Police,
Office of the Commissioner of Police,
Trichirappalli Town,
Trichirappalli District.

2.The Inspector of Police,
Ponmalai Police Station,
Ponmalai,
Trichirappalli District.

3.Mohammad Ismail

4.V.Parthasarathy

5.K.Chandrasekaran

6.M.Selvendran

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the



W.P(MD)No.27404 of 2024

WEB COPY

respondents 1 and 2 to provide immediate and adequate police protection to the petitioner for the peaceful enjoyment of her property and for the protection of her life, in light of the threats and trespassing attempts by the respondents 3 and 4, and pass such further or other orders as this Court.

For Petitioner : Mr.N.Sudhagar Nagaraj
For R-1 & R-2 : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)
For R-3 to R-6 : No appearance

ORDER

The present petition has been filed for issuance of Writ of Mandamus directing the respondents 1 and 2 to provide immediate and adequate police protection to the petitioner for the peaceful enjoyment of her property and for the protection of her life, in light of the threats and trespassing attempts by the respondents 3 and 4.

2. According to the petitioner, the petitioner is the owner of the property in S.No.318/3 to an extent of 0.84 cents in Ponmalai, Trichy District. While so, the petitioner also filed a suit in O.S.No.456 of 2022



W.P(MD)No.27404 of 2024

WEB COPY

on the file of the IV Additional Sub Court, Tiruchirappalli and the same was decreed on 27.11.2023 in favour of the petitioner. Thereafter, the private respondents 3 and 4 on 11.09.2024 trespassed into the property and encroached by putting fence. Therefore, the petitioner sent a complaint to the second respondent police through registered post on the same day and the same has not been considered. Hence, the petitioner filed this petition.

3. The learned Government Advocate (Crl. Side) appearing for the official respondents would submit that they received the complaint from the petitioner and thereafter, the same was closed as the petitioner agreed to go before the Civil Court for seeking appropriate remedy by executing a hand written letter. Therefore, the same was closed and nothing survives for further adjudication.

4. This Court considering the limited scope of prayer sought for in this petition without even issuing notice to the private respondents inclined to dispose of this petition.



W.P(MD)No.27404 of 2024

WEB COPY

5. Since the prayer of the petitioner is to provide adequate police protection but the petitioner's representation before the second respondent is to remove the fence and to take action against the third and fourth respondents and no any request made by the petitioner for police protection, it is for the petitioner to approach the second respondent if any unlawful activities done by the private respondents. As far as the police protection is concerned, if she has any decree in her favour, she always can approach the second respondent for police protection.

6. With the above said observations and directions, this writ petition stands disposed of. There shall be no order as to costs.

05.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR



W.P(MD)No.27404 of 2024

WEB COPY

- To
- 1.The Commissioner of Police,
Office of the Commissioner of Police,
Trichirappalli Town,
Trichirappalli District.
 - 2.The Inspector of Police,
Ponmalai Police Station,
Ponmalai,
Trichirappalli District.



WEB COPY



W.P(MD)No.27404 of 2024

P.DHANABAL, J.

BTR

W.P(MD)No.27404 of 2024

05.03.2025