



WP CRL.(MD). No.1743 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 15/10/2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

WP CRL.(MD). No.1743 of 2025

Ganesan,

... Petitioner

Vs

1. The Superintendent of Police,
Dindigul District,
Dindigul.
2. The Deputy Superintendent Of Police,
Nilakottai Circle,
Nilakottai,
Dindigul District.
3. The Inspector of Police,
Patteveeranpatti Police Station,
Nilakottai Taluk,
Dindigul District.
4. Rathinammal,
W/o.Late. Mokkaiah
5. Shanmugaraja,
S/o.Late. Mokkaiah

... 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 3rd respondent to give adequate Police Protection for life and limb of the Petitioner and evict the Private Respondents from the subject mentioned property comprised in Survey Numbers. 1748/1 for an extent of 1890 Sq. feet in old Door No.3/272 New Nos.3/5 & 3/8 is situated at A.Puthur, Ayyampayalam Village, Nilakottai Taluk, Dindigul District on the basis of petitioner's representation dated 28.08.2025.

For Petitioner : Mr.S.Nedumaran,
For R1 to R3 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the third respondent to give adequate Police Protection for life and limb of the Petitioner and evict the Private Respondents from the subject mentioned property comprised in Survey Numbers. 1748/1 for an extent of 1890 Sq. feet in old Door No.3/272 New Nos.3/5 & 3/8.



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2. According to the petitioner, the petitioner is the absolute owner of the subject property; that he had filed O.S.No.241 of 2004 on the file of the District Munsif Court, Nilakottai and the same was decreed on 14.04.2026 in his favour; that an appeal has been filed by the private respondent/fifth respondent herein and the same was dismissed and that inspite of the Civil Court judgment in his favour, the fifth respondent is still interfering with the property.

3. The learned Additional Public Prosecutor, on instructions, would submit that the fifth respondent has filed a suit in O.S.No.55 of 2025 before the District Munsif Court, Athur and the same is pending.

4. If the petitioner claims that the Civil Court decree has been disobeyed by the private respondents, it is for the petitioner to seek execution of the decree before the Competent Court. It is also seen that the Civil Suit filed by the fifth respondent is also pending.

5. In the light of the above said facts, the respondent police cannot take any action to evict the private respondents from the subject



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mentioned property. Hence, prayer sought for in the Writ Petition cannot be granted. Therefore, this Writ Petition is dismissed with liberty to the petitioner to approach the competent Civil Court for seeking appropriate remedy. No Costs.

15.10.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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To

1. The Superintendent of Police,
Dindigul District,
Dindigul.
2. The Deputy Superintendent Of Police,
Nilakottai Circle,
Nilakottai,
Dindigul District.
3. The Inspector of Police,
Patteveeranpatti Police Station,
Nilakottai Taluk,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SUNDER MOHAN,J

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**ORDER
IN
WP CRL.(MD) No.1743 of 2025**

Date : 15/10/2025