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W.P. CrI. No.1411 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2026

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P. CrI. No.1411 of 2025

And

W.P.M.P. CrI. No.685 of 2025

M.Murugesan
Door No.265, Royal Town,
Mathigiri,
Hosur City - 635 110,
Krishnagiri District.

... Petitioner

Vs.

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

2.The Inspector of Police
Hosur Town Police Station,
Hosur, Krishnagiri District.

3.G.Anjinippa
Son of Gangappa,
Gudisadanapalli Village,
Onnalvadi Post,
Hosur, Krishnagiri District.

4.G.Arjun
Son of Gangappa,
Gudisadanapalli Village,
Onnalvadi Post,
Hosur, Krishnagiri District.

... Respondents



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Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents 1 and 2 to give necessary police protection to the Petitioner for protecting his life and the rights declared by the Judgement and Decree of the Civil Court dated 24.03.2025 in O.S.No.166 of 2012 on the File of the District Munsif-cum Judicial Magistrate No.I, Hosur.

For Petitioner : Mr.K.Selvaraj

For Respondents : Mr.R.Ganesh Kumar for R1, R2
Counsel for Government of Tamil Nadu
(Criminal Side)
High Court of Madras
Assisted by
Mr.Mohammed Imran.A

Mr.C.Balaji Prasanna for R3, R4

ORDER

This writ petition has been filed for direction directing the respondents 1 and 2 to provide adequate police protection to the petitioner for protecting his life and civil rights declared by the Civil Court in O.S.No.166 of 2012 dated 24.03.2025 on the file of the District Munsif – cum – Judicial Magistrate No.I, Hosur.



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2.The learned counsel for the petitioner submitted that the petitioner purchased the land measuring 2.2 acres in S.No.397/3 at Thorapalli Agraharam Village, Hosur Taluk, Krishnagiri District, by way of a registered sale deed dated 20.07.2012 and registered as document no.4577 of 2012 on the file of the Sub-Registrar, Kelamangalam. The Zonal Deputy Tahsildar, Hosur has also transferred the Patta No.3194 for the above said property in the name of the petitioner and issued patta no.3194 to the petitioner on 19.01.2016. The Village Adangal also stands in the name of the petitioner. However, the respondents 3 and 4 were disturbing the peaceful possession and enjoyment of the said property. Therefore, the petitioner was constraint to file the suit in O.S.No.166 of 2012 on the file of the District Munsif – cum – Judicial Magistrate No.I, Hosur, for declaration and permanent injunction. It was decreed by judgment and decree dated 24.03.2025. Even then, the petitioner could not cultivate his land, though the petitioner is in possession and enjoyment of the same. Therefore, petitioner lodged complaint seeking police protection for his life while cultivating the lands, however, the same has not yet been considered.



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3.The learned counsel for the respondents 3 and 4 submitted that aggrieved by the judgment and decree passed in O.S.No.166 of 2012, respondents 3 and 4 preferred appeal and the same is now pending adjudication in A.S.No.5 of 2025 on the file of Principal Subordinate Court, Hosur.

4.Admittedly, the possession of the subject property is with the petitioner. Unless and otherwise, the respondents 3 and 4 succeed in their appeal suit, they cannot disturb the peaceful possession and enjoyment of the petitioner's land.

5.In view of the above, the petitioner is directed to lodge a fresh complaint before the second respondent and on receipt of the said complaint, the second respondent is directed to conduct enquiry on the complaint lodged by the petitioner after issuance of notice to the petitioner and respondents 3 and 4 and pass appropriate orders, on the basis of the civil Court decree in favour of the petitioner, within a period of two weeks from the date of receipt of the complaint from the petitioner. It is also made clear that if any cognizable offence is made out as against the respondents 3 and 4, the second respondent shall register FIR and proceed in accordance with law.



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6. With the above direction, the writ petition is disposed of.

Consequently, the connected miscellaneous petition is closed.

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Index: Yes/ No

Speaking Order: Yes/ No

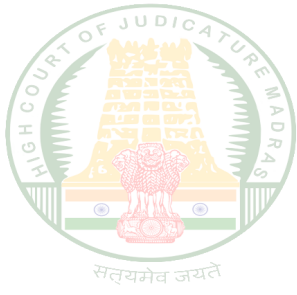
NCC: Yes/ No

To

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

2. The Inspector of Police
Hosur Town Police Station,
Hosur, Krishnagiri District.

3. The Public Prosecutor,
Madras High Court,
Chennai – 600 104.



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