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W.P. CrI. No.1415 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.1415 of 2025

M.S.Kandasamy
S/o.Sengoda Mudaliar,
D.No.36, 1st Floor, Gandhyar Street,
Velanatham, Attayampatti,
Salem District-637 501.

... Petitioner

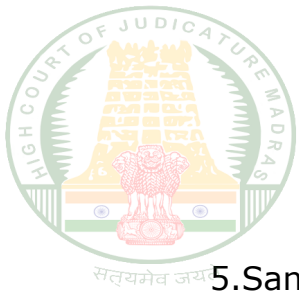
Vs.

1.The Commissioner of Police,
Salem City Commissioner of Office,
Salem.

2.The Inspector of Police,
Attayampatti Police Station,
Salem.

3.Madeshwaran
S/o.Sengoda Mudaliar,
Gandhiyar Street,
Velanatham, Attayampatti,
Salem District-637 501.

4.Nagalingam
S/o.Sengoda Mudaliar,
Gandhiyar Street,
Velanatham, Attayampatti,
Salem District-637 501.



W.P. CrI. No.1415 of 2025

5.Santhi
W/o.Nagalingam,
Gandhiyar Street,
Velanatham, Attayampatti,
Salem District-637 501

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the second respondent to consider the petitioner representation dated 03.11.2025 and to give adequate police protection to the petitioner and his property land in survey numbers 233/3 and 233/5 situated at Attayampatti Village, Salem District.

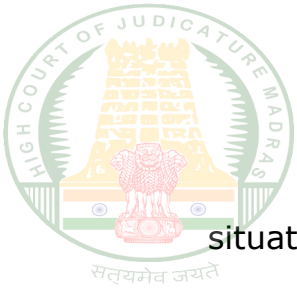
For Petitioner : Mr.P.Vimal Raj

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.K.M.Appaji for R3 to R5

ORDER

This writ petition has been filed for direction directing the second respondent to consider the petitioner's representation dated 03.11.2025 and to give adequate police protection to the petitioner and his property land comprised in survey numbers 233/3 and 233/5



W.P. CrI. No.1415 of 2025

situated at Attayampatti Village, Salem District.

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2.First of all police protection cannot be granted to the property situated in survey numbers 233/3 and 233/5 situated at Attayampatti Village, Salem District.

3.According to the petitioner, the property was allotted to the petitioner on 27.03.1991 by virtue of Panchayat Muchaliga from the date of partition into the property. While being so, the respondents 3 to 5 herein forcibly entered into the property and squatted over the same. Hence, the petitioner lodged complaint before the second respondent and the second respondent registered FIR in Crime No.347 of 2025 for the offences punishable under Sections 296(b), 351(1) of BNS, 2023 and it is pending for investigation. Now the petitioner has sought for police protection to enter into the property and to take possession of the property.

4.Police protection cannot be granted for the property, that too, to take possession of the property. Even according to the petitioner respondents 3 to 5 trespassed into the property and squatted over the property.



W.P. Crl. No.1415 of 2025

WEB COPY

5.The learned counsel for respondents 3 to 5 submitted that the property belongs to respondents 3 to 5 and suppressing the said fact, the petitioner executed settlement deed in respect of the very same property in favour of his daughter vide Document No.3351/2023. Therefore, the fourth respondent filed the suit in O.S.No.941 of 2025 on the file of Additional Subordinate Court, Salem and it is pending for adjudication.

6.There is civil dispute pending between the petitioner and the respondents 3 to 5 herein. Hence, the representation submitted by the petitioner seeking police protection to the property and the petitioner cannot be considered and the relief sought for in this writ petition cannot be granted.

7.The writ petition is dismissed.

07.07.2026

pri

Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

4/6



W.P. CrI. No.1415 of 2025

WEB COPY

To

1.The Commissioner of Police,
Salem City Commissioner of Office,
Salem.

2.The Inspector of Police,
Attayampatti Police Station,
Salem.

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



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W.P. CrI. No.1415 of 2025

G.K.ILANTHIRAIYAN,J.
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W.P. CrI. No.1415 of 2025

07.07.2026