



W.P.No.8266 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.8266 of 2025

M.Thangavelu

.... Petitioner

Vs

1. The Inspector of Police,
Kandili Police Station,
Thirupathur District -635 901.
2. S.Gopal
3. Nandakumar
4. Manjula
5. Annapoorani

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus directing the first respondent herein to consider the representation sent by the petitioner dated 03.10.2024 and 01.01.2025 and to give police protection to the petitioner to enter in to his land situated in Survey No.526/1C, Elavampatti Village, Thirupathur.

For Petitioner : Mr.D.Rajagopal

For Respondents : Mr.A.Gopinanth,
Government Advocate (Crl.Side)
for R1



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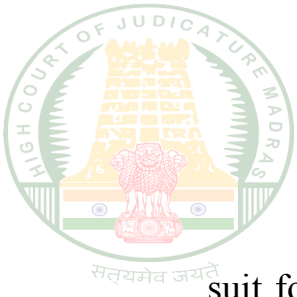
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ORDER

This petition has been filed seeking a direction to the first respondent to consider the representation sent by the petitioner dated 03.10.2024 and 01.01.2025 and to give police protection to the petitioner to enter in to his land situated in Survey No.526/1C, Elavampatti Village, Thirupathur.

2. The case of the petitioner is that the the property situated in S.No.562/1C in Elavampatti Village with an extent of 0.94 cents and property situated in S.No.526/1C with an extent of 13 cents and well in the property situated in 526/1C (share four cents) originally belongs to one S.Gopal, S/o.Saakan. The said Gopal, his son Nandakumar and the petitioner had entered into a registered sale agreement for purpose of above mentioned properties for a sale consideration of Rs.60,000/- by virtue of registered sale agreement dated 01.09.2023 vide D.No.3500/2003.

3. The further case of the petitioner is that the said Gopal and his son had failed to execute a sale agreement. So the petitioner has filed a



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suit for specific performance as against the above persons and the same was decreed. Subsequently, on 29.11.2007, the sale deed was executed in favour of the petitioner through Court registered as D.No.9220/2007.

4. The further case of the petitioner is that the said Gopal had instigated his daughters to file a vexatious partition suit before the Sub Court, Thirupathur in O.S.No.16/2008 and the same was allowed. Aggrieved against which, the petitioner has preferred an appeal before the Principal District Court, Vellore in A.S.No.27 of 2013. The Principal District Court, Vellore has allowed the appeal and set aside the partition order on 20.01.2015. No appeal was preferred by the aggrieved party as against the said judgment. Hence, the petitioner is an absolute owner of the properties in S.No.526/1C. Even after this Gopal and his children, henchmen have continuously troubled the petitioner's enjoyment of property, the petitioner has unable to bear these harassment, filed another suit in O.S.No.116 of 2012 before the District Munsif Court, Thirupathur for the relief of declaration and permanent injunction. An exparte decree was passed in O.S.No.116 of 2012 on 24.11.2012. Thereafter, the



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petitioner had given several representations to the first respondent for police protection on various dates, but, the same was not considered. Hence, the present writ petition.

5. Taking in to consideration the facts and the circumstances of the case and the submissions made by both side counsel, this Court directs the first respondent to conduct enquiry after issuance of notice to the petitioner and the respondents 2 to 5 herein within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

18.03.2025

Vv

To

The Inspector of Police,
Kandili Police Station,
Thirupathur District -635 901.

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G.K.ILANTHIRAIYAN, J.

VV

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