



W.P.No.13911 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2025

CORAM:

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

W.P.No.13911 of 2025

N.K.Palaniappan

... Petitioner

Vs.

1. The State represented by
The Superintendent of Police,
Erode District,
Tamil Nadu.

2. The State represented by
The Inspector of Police,
Bangalapudu Police Station,
Gobichettipalayam,
Erode District,
Tamilnadu.

3. Subramani

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 & 2 to give protection to the petitioner to prevent the third respondent from interfering with the petitioner's cultivation agricultural farm land of village survey No.313/1c, 313/2, 313/3 in Arakkankottai Village, Gobichettipalayam, Erode District in furtherance of the order passed by the R.D.O.in Pa.Mu.3299/2023/A2 dated 20.08.2024 and confirmed by the D.R.O. in the order Na.Ka.3299/2023/A dated 17.12.2024.



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For Petitioner : Mr.G.Karthikeyan

For Respondents

For R1 & R2 : Mr.R.Vinothraja
Government Advocate (Crl. Side)

For R3 : No appearance

ORDER

This writ petition has been filed for direction directing the respondents 1 to 3 to give protection to the petitioner at the hands of the third respondent from interfering with the petitioner's cultivation agricultural farm land comprised in survey Nos.313/1c, 313/2, 313/3 situated at Arakkankottai Village, Gobichettipalayam, Erode District.

2. The petitioner derived title over the subject property by way of Will executed by his father and also by purchase vide document No.387 of 1993. In total, the petitioner owned 5 acres 51 cents of agricultural farm land, out of which 2 acre 81 cent was purchased by the petitioner and 2.70 acre was transferred to him by way of Will by his father. The land, which was bequeathed in his favour by his father, has been settled by the petitioner in favour of his son by the registered settlement deed dated 11.10.2021 vide document No.1834 of 2021 and the petitioner has been cultivated the entire land.



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3. While being so, the third respondent obstructed the petitioner's cultivation and interfered with the peaceful possession and enjoyment of the subject property. Therefore, the petitioner lodged complaint before the Bangalapudur Police Station, Gobichettipalayam, Erode. It was referred before the the Revenue Divisional Officer, Gobichettipalayam, to initiate proceedings under Section 145 of Cr.P.C. The Revenue Divisional Officer, Gobichettipalayam, after issuance of notice to the petitioner and the counter parties, conducted detailed enquiry and held that the subject land belongs to the petitioner and no record reflected any registration in favour of the third respondent and his family members in respect of the subject land. Accordingly the Revenue Divisional Officer, Gobichettipalayam, by an order dated 20.08.2024, concluded that the petitioner is the owner of the subject property. It was also confirmed by the District Revenue Officer by an order dated 17.12.2024. Even then, the third respondent is interfering with the peaceful possession and enjoyment of the property by the petitioner.

4. In view of the above facts and circumstances, the second respondent is directed to conduct enquiry on the complaint lodged by the petitioner after issuance of notice to the petitioner and the third



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respondent and pass orders to provide adequate police protection at the hands of the third respondent, on payment of cost, within the period of four weeks from the date of receipt of a copy of this Order.

5. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

29.04.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

rts

Note :- Issue order copy today on
viz., 29.04.2025



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1. The Superintendent of Police,
Erode District,
Tamil Nadu.

2. The Inspector of Police,
Bangalapudu Police Station,
Gobichettipalayam,
Erode District,
Tamilnadu.

3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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