



WP No. 24136 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-08-2025

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CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

WP No. 24136 of 2024 & WMP.No.26392 of 2025

1. R.Uthirasamy
S/o.Late Ramaswamy, 828,
Samyathanur Bus Stop,
Attavanaipudhur Village, Anthiyur
Taluk, Erode District.

Petitioner(s)

Vs

1. The Superintendent Of Police,
District Police Office, Erode -638 001,
Erode District.

2.The Inspector Of Police,
Bhavani Police Station, Erode District.

3.The Taluk Surveyor,
Bhavani Taluk Office, Bhavani, Erode
District.

4.Perumal,
S/o. Kulla Gounder, Yeampalayam,
Kesari Mangalam Village, Bhavani
Taluk, Erode District.

5.P.Selvam,
S/o. Perumal, Yeampalayam,



Kesari Mangalam Village, Bhavani
Taluk, Erode District.

Respondent(s)

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PRAYER : Writ Petition filed under Article 226 of Constitution of India Directing the respondents 1 and 2 to take action against the respondents 4 and 5 from interfering with the petitioners possession and enjoyment of 75 Cents in RS. No. 397/3 and 50 cents in RS.No. 409/7, totally 1.25 Acres in Kesarimangalam Village, Bhavani Taluk as held in 2014(2) CTC 695 by considering his representation dated 21.06.2024

For Petitioner(s): Mr.N. Manoharan

For Respondent(s): Mr.K.M.D.Muhilan
Additional Public Prosecutor – R1 to R3

M/s. E. Shanmugasundaram – R4 & R5

ORDER

This Writ Petition has been filed to direct the respondents 1 and 2 to take action against the respondents 4 and 5 from interfering with the petitioner's possession and enjoyment of his property as held in 2014(2) CTC 695 by considering his representation dated 21.06.2024.

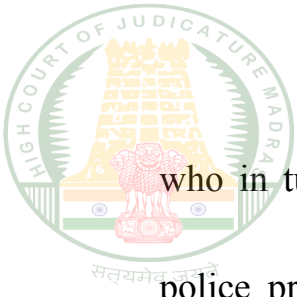


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2. The case of the petitioner is that the suit filed by the brother of the petitioner against the fourth respondent in O.S.No.190 of 213 for specific performance has been decreed in his favour and pursuant to the same, a sale deed has also been executed by the Sub Court, Bhavani in favour of the brother of the petitioner. Subsequently, the petitioner's brother executed a settlement deed in favour of the petitioner. The grievance of the petitioner is that even now the fourth and fifth respondents along with his men are trespassing into the property of the petitioner and causing damage to his property and began to erect a temporary shed in the property. Hence, the present Writ Petition for the aforesaid relief.

3. The learned Additional Public Prosecutor on instructions submitted that on the complaint given by the petitioner, CSR.No.212 of 2024 has been registered and after enquiry, the same has been closed.

4. The petitioner claims to be owner of the property subsequent to the specific performance decree granted in favour of the brother of the petitioner,



who in turn had executed a settlement deed in favour of the petitioner. The police protection is mainly sought on the ground that the original judgment debtor is still trespassing into the property of the petitioner and interfering with his possession. In such view of the matter, if any trespass is made and damage is caused to the property by the respondents 4 and 5 or his mens, it is well open to the petitioner to give a police complaint and on such complaint being given, the respondents 1 to 3 have to proceed as per law.

5. With the above direction, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed.

21-08-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

vrc



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To
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