



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-11-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

W.P.CrI.No.1319 of 2025 and
WMP CrI. Nos.638 and 639 of 2025

1. Amsa
2. Govindaraj
3. Murugesan

Petitioner(s)

Vs

1. The District Collector,
Salem, Salem District.
- 2.The Sub Division Magistrate /
Revenue Divisional Officer
Mettur, Salem, Salem District.
- 3.The Inspector of Police
Kolathur Police Station, Kolathur ,
Mettur Taluk, Salem District
- 4.Ponnusamy
S/o.Gurusamy,
- 5.Prabhu
S/o.Ponnusamy



6.Ramani

S/o.Ponnusamy

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7.Karthikeyan

S/o.Ponnusamy

Respondent(s)

PRAYER Writ Petition filed under Article 226 of Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned notification, dated 06.08.2025 issued by the 3rd respondent under section 168 of BNSS 2023 and the consequential summons dated 13.08.2025 in C.Pa.No.217/2025-D issued by the 2nd respondent under section 126 of BNSS and quash the same and consequently forbearing the respondent 2 and 3 from in any manner interfering with the petitioners peaceful possessions and enjoyment of the subject property pending disposal of O.S.No.110 of 2025 on the file of the District Munsif Court, Mettur.

For Petitioners: M/s.K.Prabakaran

For Respondents: Mr.R.Vinothraja,
Government Advocate (Crl. Side)
for R1 to R3

ORDER

This writ petition has been filed to call for the records pertaining to the impugned notification, dated 06.08.2025 issued by the 3rd respondent under section 168 of BNSS 2023 and the consequential summons dated 13.08.2025 in



rp/g/vz;.217/2025-O issued by the 2nd respondent under section 126 of

BNSS and quash the same and consequently forbearing the respondent 2 and 3 from in any manner interfering with the petitioners' peaceful possession and enjoyment of the subject property, pending disposal of O.S.No.110 of 2025, on the file of the District Munsif Court, Mettur.

2. When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that there was a dispute with regard to ownership between the petitioners and the respondents 4 to 7. Since there is a law and order problem existing with regard to the property, the matter was referred to the second respondent for proceedings under Section 145 of Cr.P.C., pending in rp/g/vz;.217/2025-O, dated 13.08.2025.

3. At this juncture, the learned counsel for the petitioner would submit that it would suffice if the second respondent is directed to complete the enquiry and pass orders in the proceedings, dated 13.08.2025, within a specified period.



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4. In view of the above, the writ petition stands disposed of with a direction to the second respondent to complete the proceedings in **rp/g/vz;.217/2025-O**, dated 13.08.2025 under Section 126 of BNSS, within a period of two months from the date of receipt of a copy of this order. No costs. Consequently, WMP Crl.No.639 of 2025 is closed.

5. Insofar as WMP Crl.No.638 of 2025 is concerned, it is ordered subject to payment of separate Court fee.

13-11-2025

vum

Index: Yes/No

Internet: Yes

Neutral Citation: Yes/No

A.D.JAGADISH CHANDIRA J.

vum

To

1.The District Collector



Salem, Salem District

2.The Sub Division Magistrate/Revenue

Divisional Officer

Mettur, Salem, Salem District

3.The Inspector of Police

Kolathur Police Station, Kolathur ,

Mettur Taluk, Salem District

4. The Public Prosecutor,

Madras High Court, Chennai.

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