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WP CrI. No. 1431 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-11-2025

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

WP CrI. No. 1431 of 2025

1. C.Dhayanandhan
S/o.Late. M.Chinnasamy, No.4,
Vettupalayam Main Street, Nasiyanar,
Erode District- 638 107.

Petitioner(s)

Vs

1. The Inspector of Police
Chithode Police Station,
Kongampalaym, Chithode, Erode- 638
102.

Respondent(s)

PRAYER: The writ petition (criminal) filed under Article 226 of Constitution of India for issuance of a writ of Mandamus directing the respondent to consider petitioner's representation dated 24.09.2025 and consequently direct the respondent police to provide adequate police protection to erect fence within the petitioner's land situated in Survey No. 328/1, Patta No. 1408, situated in Nasiyanur B Village, Erode Taluk, Erode District measuring to an extend of



1.17 hectors and pass such other orders.

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For Appellant(s): Mr.J.Kishore

For Respondent(s): Mr..K.M.D. Muhilan,
Additional Public Prosecutor

ORDER

The writ petition (criminal) has been filed to direct the respondent to consider petitioner's representation dated 24.09.2025 and consequently, direct the respondent police to provide adequate police protection to erect fence within the petitioner's land situated in Survey No. 328/1,Patta No. 1408, situated in Nasiyanur B Village, Erode Taluk, Erode District measuring to an extend of 1.17 hectors and pass such other orders.

2.The petitioner had a dispute with his neighbour, the adjoining land owner, Loganathan. Consequent to the dispute, complaints were lodged by both the parties. Finally, in the presence of Village Administrative Officer and both the parties, on 27.06.2025, the land was measured, identified and boundaries



were marked. Thereafter, the petitioner began construction work. At that time, the adjoining land owner Loganathan prevented the petitioner again and threatened with dire consequences. Hence, he sent a representation seeking police protection to the respondent police on 27.06.2025 followed by another representation dated 24.09.2025. However, no action has been taken by the respondent police, the present petition.

3.The learned Additional Public Prosecutor appearing for the respondent submitted that there has been a continuous constant dispute between the petitioner and his neighbour, the adjacent land owner Loganathan. On 03.12.2024, the petitioner attempted to put up a basement and fencing, which was considered by his neighbour as an act of encroachment, and there was some objections. Thereafter, the revenue officials measured the disputed property in the presence of the parties. Recording the same, CSR No.600 of 2024 dated 03.12.2024 was closed as civil in nature. Since it is a civil dispute, the police



did not take further action and advised the parties to approach the civil Court.

Therefore, the representations dated 25.07.2025 and 24.09.2025 have not been acted upon and remain pending.

4.Considering the submissions and on perusal of the materials placed on record, it is an admitted position that there is a dispute between the petitioner and his adjoining land owner Loganathan. It is further seen that the revenue officials have measured the disputed place and laid boundaries. Thereafter, the said Loganathan cannot have any valid reason for objection and in no way justify his action of threat and abuse to the petitioner. The respondent police, taking the earlier closure report of CSR 600 of 2024, cannot justify the inaction on the petitioner's representations on 25.07.2025 and 24.09.2025.

5.In view of the above, this Court directs the respondent police to consider the petitioner's complaints dated 25.07.2025 and 24.09.2025 and



thereafter, take an appropriate decision, in accordance with law, within a period of three weeks from the date of receipt of a copy of this order, after giving reasonable opportunity to all the parties concerned.

6. Accordingly, the criminal original petition is disposed of.

24-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

sms

To

1. The Inspector of Police
Chithode Police Station,
Kongampalayam, Chithode, Erode- 638
102.

2. The Public prosecutor
High Court, Madras.



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M.NIRMAL KUMAR,J.,

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