



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-12-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

WP (CrI.) No. 1578 of 2025

1. M.Sathya
W/o. Late. Murugan, Pottaneri Village,
Yervadi, Kuttapatti P.O, mettur Taluk,
Salem District.

Petitioner

Vs

1. The Superintendent of Police
Namakkal.

2.The Inspector of Police
Olipatty Police Station, Mettur Taluk,
Salem District.

3.Ramani
W/o. Late. Rajendran,

4.Sankar
S/o. Late. Govindaraj,

5.Ramaraj
S/o. Late. Govindaraj,

6.Meenakshi
W/o. Late. Govindaraj,

7.Mohan Raj
late. Rajendran, All residing at
Thumbalpatty, Mullukuruchi Village,
Rasipuram Taluk, Namakkal District.



8.Surya
S/o.Rajendiran, Ayyampudur, No.2/153,
Boyar Street, Singiripatti Village,
Mettur Taluk, Salem District.

Respondent(s)

PRAYER

Writ Petition (Criminal) filed under Article 226 of Constitution of India, praying to direct the Respondents 1 and 2 to provide the police protection for fencing the Petitioner's property comprised in S.Nos.245/1D, 245//2A, 245/1C, measuring an extent of Arces 3.22 Cents, situated at Mullukuruchi Village, Mettur Taluk, Salem District based on her complaint dated 02.06.2025 and 16.10.2025.

For Petitioner : Mr.Babu Rangasamy

For Respondents Mr.S.Santhosh
1 & 2 : Government Advocate (CrI.Side)

ORDER

This Writ Petition (Criminal) has been filed praying to direct the Respondents 1 and 2 to provide police protection for fencing the petitioner's property comprised in S.Nos.245/1D, 245//2A, 245/1C, measuring an extent of arces 3.22 cents, situated at Mullukuruchi Village, Mettur Taluk, Salem District based on her complaint dated 02.06.2025 and 16.10.2025.



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2. The petitioner's case is that she owns a property in S.Nos.245/1D, 245/1E, 245/2A, 245/1C to an extent of acres 3.22 cents, situated at Mullukurichi Village, Mettur Taluk, Salem District and she is in enjoyment and possession of the said land and doing cultivation. She would submit that since the respondents 3 to 8 are disturbing her peaceful possession and enjoyment, she filed a suit for declaration and permanent injunction in O.S.No.146 of 2011 on the file of District Munsif Court, Rasipuram and the suit was decreed on 13.07.2013. The respondents 3 to 8, aggrieved by the said judgment and decree, filed an appeal in A.S.No.25 of 2013 on the file of the Sub Judge, Rasipuram and the same was dismissed for default on 03.03.2015. Against the said order of dismissal for default, the respondents 3 to 8 have not preferred any restoration petition till date. According to the petitioner, the respondents 3 to 8, without due respect to the judgment and decree dated 13.07.2013 in O.S.No.146 of 2011 are disturbing her possession and enjoyment and she is unable to do cultivation and therefore, to protect her lands, she needs fencing of the lands. Apprehending disturbance by respondents 3 to 8, the petitioner made a police complaint to the respondents 1 and 2 on 02.06.2025 and also requested to give police protection for fencing her property. The petitioner further submits that respondents 1 and 2 are not taking any serious steps on her complaint dated 02.06.2025.



3. Mr.S.Santhosh, learned Government Advocate (Criminal Side) takes notice for the official respondents. He would submit that there appears to be some civil dispute between the petitioner and the respondents 3 to 8.

4. Considering the facts and circumstances of the case, the 2nd respondent is directed to conduct an enquiry and if it is found that the respondents 3 to 8 are acting in violation of the civil court's decree, he shall provide adequate police protection to the petitioner to enable her to fence her property.

5. The above said exercise shall be carried out by the 2nd respondent within a period of four weeks from the date of receipt of a copy of this order.

6. This Writ Petition (Criminal) is disposed of accordingly.

08-12-2025

nvsri

Neutral Citation: Yes/No



To

1. The Superintendent of Police
Namakkal.
2. The Inspector of Police
Olipatty Police Station, Mettur Taluk,
Salem District.
3. The Public Prosecutor, Madras High Court, Chennai-600 104.



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