



W.P.(MD)No.158 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.(MD)No.158 of 2025

Chandra Raj

... Petitioner

Vs.

1. The Superintendent of Police
District Police Office
Dindigul District
2. The Deputy Superintendent of Police
Thadikombu Division
Dindigul District
3. The Sub Inspector of Police
Thadikombu Police Station
Dindigul District
4. Soundrarajan
5. Muthiah
6. Baskaran
7. Jeyakumar
8. Saroja
9. Nagajothi
10. Murugesan
11. Jeya @ Nagarajan

... Respondents



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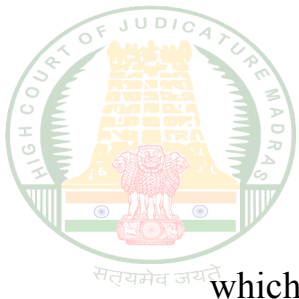
PRAYER : Writ Petition filed under Article 226 of the Constitution of India, seeking a Writ of Mandamus, directing the third respondent, Inspector of Police Thaddikombu Police Station, Dindigul District to direct the respondents 4 to 11 not to interfere in petitioner's peaceful enjoyment and possession of the property in Survey No. 358/2 and 366/1, Seelapadi Village, Dindigul District and thereby binding the respondents 4 to 11 through the decree and judgment in O.S.140 of 2013 which was decreed in favour of the plaintiff (i.e) the petitioner on the file of the Additional District Munsif, Dindigul District based on the representation dated 14.10.2024 within stipulated time

For Petitioner : Ms.G.Dhanaseeli

For Respondents : Mr.A.Thiruvadi Kumar
No. 1 to 3 Additional Public Prosecutor

ORDER

The petitioner filed this Writ Petition seeking to direct the third respondent, Inspector of Police Thaddikombu Police Station, Dindigul District to direct the respondents 4 to 11 not to interfere in petitioner's peaceful enjoyment and possession of the property in Survey No. 358/2 and 366/1, Seelapadi Village, Dindigul District and thereby binding the respondents 4 to 11 through the decree and judgment in O.S.140 of 2013



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which was decreed in favour of the plaintiff (i.e) the petitioner on the file of the Additional District Munsif, Dindigul District based on the representation dated 14.10.2024 within stipulated time.

2. The petitioner had encroached the property from his father in S.No.358/2 and 366/1 Seelapadi, Dindigul District. The petitioner had got patta in patta No.13838. Earlier there was a civil dispute between the father of the petitioner and one Soundrarajan,Muthiah, Baskaran, Jeyakumar, Muthammal, Nagammal, Saroja, Kaliammal and Nagajothi and judgment was delivered in favour of the petitioner and as per the decree it was declared that the father of the petitioner was entitled to one acre of the land. Later on 05.10.2024 the suit property was surveyed and marked and boundary stones were laid. Some of the legal heirs of the earlier defendants in the suit had made objections and they also threatened. Further the petitioner wanted to sell the property but they are obstructing the same and threatening the petitioner and hence the petitioner is unable to enjoy the property. Hence during the month of April 2024 he had lodged a complaint, no action has been taken. Subsequently this complaint has been lodged.



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3. The learned Additional Public Prosecutor submitted that for the earlier complaint of the petitioner CSR No.191 of 2024 on 28.04.2024 assigned and the petitioner as well as the counter parties were called for enquiry since both of them failed to appear the complaint was closed. As regards the present complaint it has not been received and acknowledgment is not proper as it is seen from the typed set. Hence the the petitioner may be directed to give complaint to the Inspector of Police, Thadikombu Police Station in person or through post , thereafter only police can take appropriate action. He further submitted that in the event of O.S No.140 of 2013 had attained finality following the direction of this Court in the case of “***Radhika Sri Hari and another .vs. The Commissioner of Police*** reported in ***2014-2-LW- 927***”,the police is bound to give protection to the life and property of the petitioner which is fundamental right.

4.In view of the same, the petitioner is directed to appear before the Inspector of Police, Thadikombu Police Station, Dindigul District on 20.01.2025 along with copy of the complaint with supporting documents



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to substantiate his contention. On receipt of the same, the Inspector of Police, Thadikombu Police Station, Dindigul District is directed to conduct enquiry calling the counter parties and dispose the complaint of the petitioner granting appropriate relief if the petitioner is entitled for the same.

5. With the above direction, this Writ Petition stands disposed of.

No costs.

07.01.2025

NCC : Yes / No

Index : Yes / No

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Note: Issue order copy on 08.01.2025



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Dindigul District
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Dindigul District
3. The Sub Inspector of Police
Thadikombu Police Station
Dindigul District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

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